

THE REIGN OF ALEXANDER II, 1214-49

VISIT...

LANZAROTE
Caliente.COM

THE NORTHERN WORLD

North Europe and the Baltic c. 400-1700 AD
Peoples, Economies and Cultures

EDITORS

BARBARA CRAWFORD (St. Andrews)

DAVID KIRBY (London)

JON-VIDAR SIGURDSSON (Oslo)

INGVILD ØYE (Bergen)

RICHARD W. UNGER (Vancouver)

PRZEMYSŁAW URBANCZYK (Warsaw)

VOLUME 16



THE REIGN OF ALEXANDER II, 1214-49

EDITED BY

RICHARD D. ORAM



BRILL
LEIDEN • BOSTON
2005

On the cover: Beaulieu Priory, Highland. Photo: R.D. Oram.

Brill Academic Publishers has done its best to establish rights to use of the materials printed herein.
Should any other party feel that its rights have been infringed we would be glad to take up
contact with them.

This book is printed on acid-free paper.

Library of Congress Cataloging-in-Publication Data

A C.I.P. record for this book is available from the Library of Congress.

ISSN 1569-1462
ISBN 90 04 14206 1

© Copyright 2005 by Koninklijke Brill NV, Leiden, The Netherlands
Koninklijke Brill NV incorporates the imprints Brill Academic Publishers,
Martinus Nijhoff Publishers and VSP.

*All rights reserved. No part of this publication may be reproduced, translated, stored in
a retrieval system, or transmitted in any form or by any means, electronic,
mechanical, photocopying, recording or otherwise, without prior written
permission from the publisher.*

*Authorization to photocopy items for internal or personal
use is granted by Brill provided that
the appropriate fees are paid directly to The Copyright
Clearance Center, 222 Rosewood Drive, Suite 910
Danvers MA 01923, USA.
Fees are subject to change.*

PRINTED IN THE NETHERLANDS

CONTENTS

List of Contributors	vii
List of Illustrations	ix
List of Maps and Plans	xiii
 Introduction: An Overview of the Reign of Alexander II	 1
<i>Richard D. Oram</i>	
‘A great prince, and very greedy of this world’s honour’.	
The Historiography of Alexander II	49
<i>Norman H. Reid</i>	
Contemporary Perspectives on Alexander II’s Succession:	
The Evidence of King-Lists	79
<i>Dauvit Broun</i>	
Kingship, Conflict and State-Making in the Reign of	
Alexander II: The War of 1215–17 and its Context	99
<i>Keith J. Stringer</i>	
Scotland and the Papacy in the Reign of Alexander II	157
<i>Andrew D.M. Barrell</i>	
Saints and Silver: Scotland and Europe in the Age of	
Alexander II	179
<i>David Ditchburn</i>	
Alexander II and the Double Tressure	211
<i>John Malden</i>	
Canon Law, Custom and Legislation: Law in the Reign of	
Alexander II	221
<i>Hector L. MacQueen</i>	
Burghs and Burgesses: A Time of Consolidation?	253
<i>E. Patricia Dennison</i>	
Swerving from the Path of Justice: Alexander II’s	
Relations with Argyll and the Western Isles, 1214–1249	285
<i>Noel Murray</i>	
 List of Abbreviations	 307
Bibliography	313
Index	329

LIST OF CONTRIBUTORS

RICHARD D. ORAM is Senior Lecturer in Scottish Medieval History and Environmental History at the University of Stirling.

NORMAN H. REID is Keeper of Manuscripts and Muniments at the University of St Andrews.

DAUVIT BROWN is Senior Lecturer in Scottish History at the University of Glasgow.

KEITH J. STRINGER is Professor of Medieval British History at Lancaster University.

ANDREW D.M. BARRELL is Lecturer in History at the Queen's University, Belfast.

DAVID DITCHBURN is Senior Lecturer in History at the University of Aberdeen.

JOHN MALDEN is Director of the Paxton Trust.

HECTOR L. MACQUEEN is Professor of Private Law at the University of Edinburgh.

E. PATRICIA DENNISON is Director of the Centre for Scottish Urban History at the University of Edinburgh.

NOEL MURRAY is formerly a Postgraduate Research Student in the Department of History, University of Aberdeen.

LIST OF ILLUSTRATIONS

1. Great Seal of Alexander II, showing the king enthroned in state.
(From Walter de Gray Birch, *History of Scottish Seals*)

Introduction, Oram

2. Arbroath Abbey, Angus. The assembly of Alexander's kinsmen and the Scottish magnates here in December 1214 for the funeral of William the Lion marked the opening of Alexander's offensive against the English king, John. (Oram)
3. Bamburgh Castle, Northumberland. The chief stronghold of the earldom that Alexander regarded as his rightful inheritance, his failure to take Bamburgh weakened his grip on his northern English conquests. (Oram)
4. Tomb effigy of Alan of Galloway, Dundrennan Abbey, Galloway. The greatest magnate of the first half of Alexander II's reign, Alan controlled an inheritance that stretched from Lauderdale and Cunningham, Ulster and Galloway, to the English Midlands. His power gave him a key role in moulding Alexander's policies in the maritime west. (Oram)
5. Tomb effigy of an unknown abbot, Dundrennan Abbey, Galloway. With a dagger's hilts protruding from his left breast and his staff resting on the head of a partly disembowelled man, it has been suggested that this Cistercian abbot was a casualty of the political turmoil in Galloway which followed the death of Alan in 1234/5 and the forced partition of the lordship by the king. (Oram)
6. Kildrummy Castle, Aberdeenshire. Control of such centres of power lay at the heart of Alexander's settlement of the long-running dispute over the succession to the earldom of Mar. (Oram)
7. Peel Ring of Lumphanan, Aberdeenshire. While the Durwards lost the competition over the earldom of Mar, they received a substantial landed lordship between the Dee and the Don as compensation. Lumphanan, at the heart of that lordship, was one of many centres on which Alan Durward built his political dominance in the second half of Alexander's reign. (Oram)

8. Beaulieu Priory, Highland. For the Bisset family, there could have been no clearer demonstration of their closeness to Alexander II and their arrival in the social elite of the kingdom than the foundation of a Valliscaulian priory on their Inverness-shire estates, emulating Alexander's own recent foundation at Pluscarden. (Oram)
9. Hermitage Castle, Borders. One factor in the Anglo-Scottish diplomatic crisis of 1243 was the alleged fortification of castles on the border by the Scots. It has been suggested that the earliest stages of building at Hermitage represent one of these provocative fortifications. (Oram)
10. Castle of Old Wick, Highland. For centuries, the lands and castles of the earls of Caithness and Orkney, such as the cliff-top stronghold at Wick, had lain beyond the effective reach of the Scottish crown. Alexander's successful campaign into Caithness in 1222 demonstrated beyond question how radically that position had changed. (Oram)

A Great Prince, Reid

11. Melrose Abbey, Borders. Alexander's devotion to the Church was more than mere posturing for political ends. Melrose, his great-grandfather's greatest foundation, benefited significantly from Alexander's patronage and was his chosen burial place. (Oram)

Contemporary Perspectives, Broun

12. Seal of Scone Abbey showing inauguration of a Scottish king. (Facsimile image from *Liber Ecclesie de Scon*)

Kingship, Conflict, Stringer

13. Great Seal of Alexander II, showing the king mounted as an armoured knight. (From Walter de Gray Birch, *History of Scottish Seals*)
14. Barnard Castle, Co. Durham. The Teesdale stronghold of John's leading northern loyalists, the Balliols, proved too strong for Alexander to capture. (Oram)

Scotland and the Papacy, Barrell

15. Balmerino Abbey, Fife. Alexander maintained his family's established tradition of generous patronage of the Church. Cistercian Balmerino, however, which he founded in conjunction with his mother, Queen Ermengarde, was the king's last only new foundation of a community from the established monastic orders. (Oram)
16. Pluscarden Priory, Moray. Founded by Alexander in 1230–1, possibly as a thanks-offering for the final elimination of the meic Uilleim line, the monastery was colonised by Valliscaulian monks, a new and particularly austere Burgundian order whose introduction to Scotland was symbolic of the king's search for a purer spirituality. (Oram)

Double Tressure, Malden

17. Great Seal of Alexander III, showing the lion rampant within the tressure on the king's shield and horse trappings. (From Walter de Gray Birch, *History of Scottish Seals*)
18. Royal Arms of Scotland as used in the later Middle Ages. (19th-century facsimile from the *Registrum Monasterii de Cambuskenneth*)

Burghs and Burgesses, Dennison

19. Forfar Castle, Angus. Almost overwhelmed by the modern houses and gardens that have encroached upon it, the site of Alexander's favoured residence at Forfar is marked by a modern battlemented tower which occupies the highest point of the hill which dominated the centre of his burgh. (Oram)
20. Dumbarton Castle and Town from Johannes Slezer's *Theatrum Scotie*. The strategic fortress gave Alexander a springboard for his first campaigns in the west in the 1220s and 1230s, and its attendant burgh represented the westernmost extension of royal administration into the Highlands until the later 13th century. (Oram)

Swerving from the Path, Murray

21. Tarbert Castle, Argyll. Alexander's castle, the remains of which are buried in their own rubble and form the level platform on the right-hand side of the skyline, dominated the anchorage of East Loch Tarbert and controlled the portage route across the neck of Kintyre. Its strategic importance as a launch-pad for royal operations in the Isles led to its redevelopment by Robert I in the 14th and James IV in the late 15th centuries. (Oram)
22. Rothesay Castle, Bute. Encouraged by the crown, the Stewarts had expanded their power into the Clyde islands—nominally subject to the Norwegian crown—in the later 12th century. Rothesay's expensive new stone-built castle underscored Stewart success and trumpeted Scottish encroachment. Its walls, however, proved to be no defence against the Norwegians in 1230. (Oram)
23. Castle Tioram, Highland. The MacRuaridh island fortress on the Moidart coast was one symbol of a powerbase built on galleys, warriors and castles that made these heirs of Somairle powerbrokers in the maritime west. (Oram)
24. Dunstaffnage Castle, Argyll. The chief fortress of the MacDougalls of Lorne was probably the intended target of Alexander's final campaign in July 1249. (Oram)

LIST OF MAPS AND PLANS

1. Alexander II at War, 1215–17.
2. Plan of Stirling in the reign of Alexander II.
3. Plan of Edinburgh in the reign of Alexander II.
4. Plan of Forfar in the reign of Alexander II.
5. Plan of Dumbarton extracted from Charles Ross's map of *The Shire of Dumbarton* (1777) (Trustees of the National Library of Scotland).

INTRODUCTION: AN OVERVIEW OF THE REIGN OF ALEXANDER II

Richard D. Oram

Scottish historical research in the Medieval era has, until the comparatively recent past, been overwhelmingly monarchocentric in its focus. Over the last twenty years, the main thrust of this work has been directed at the later Middle Ages and in particular at the Stewart kings. For the period 1329 to 1542, this trend has seen the production of a series of key studies of individual reigns, which take as their focus crown-magnate relations, but with the perspective firmly from the viewpoint of the crown.¹ This detailed examination of later Bruce and Stewart kingship has also been complemented by significant published research in magnate studies, most notably in respect of the Black Douglasses.²

For the period before 1329, we are considerably less well served, but while kings have been largely ignored there have been several major advances in magnate studies, two of which are of inspirational importance to essays in this volume. Keith Stringer's masterful analysis of Earl David of Huntingdon, Alexander II's uncle, set a new benchmark for research into magnate landholding and Anglo-Scottish relations.³ For the later twelfth- and early thirteenth-century relationship

¹ E.g. M. Penman, *David II, 1329–1371* (East Linton, 2004); S. Boardman, *The Early Stewart Kings: Robert II and Robert III* (East Linton, 1996); M. Brown, *James I* (East Linton, 1994); C. McGladdery, *James II* (Edinburgh, 1990); N. Macdougall, *James III: a Political Study* (Edinburgh, 1982); N. Macdougall, *James IV* (Edinburgh, 1989).

² M. Brown, *The Black Douglasses: War and Lordship in Late Medieval Scotland 1300–1455* (East Linton, 1998); A. Grant, 'Acts of Lordship: The Records of Archibald, Fourth Earl of Douglas', in T. Brotherstone and D. Ditchburn (eds), *Freedom and Authority: Historical and Historiographical Essays Presented to Grant G. Simpson* (East Linton, 2000), 235–274. See also, J. Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442–1603* (Edinburgh, 1985); M.H. Brown, 'Scotland tamed? Kings and magnates in late medieval Scotland: a review of recent work', *Innes Review*, xlv (1994).

³ K.J. Stringer, *Earl David of Huntingdon: a Study in Anglo-Scottish History* (Edinburgh, 1985).

between the crowns of Scotland and England, and for the development of cross-border landholding, it is a seminal work, but its central character, who was described in 1214 as 'neither lively in mind nor strong in body'⁴ died in June 1219, four and a half years after his brother, King William. Despite his death so early in Alexander II's career, he played an influential role in the critically formative years at the outset of his nephew's reign. For the detailed study of a magnate family, its relationship with the monarchy and its role in local, regional and national government, Alan Young's analysis of the Comyns represents a major historiographical advance.⁵ The lesser powers around the southern and western limits of Scottish royal authority, too, have benefited from recent academic re-evaluation, with both the kingdom of the Isles and the lordship of Galloway being the foci of major monograph studies.⁶ What is lacking amongst all this new research, however, is detailed examination of kings and kingship. There are only six modern academic studies of pre-1329 reigns, dealing with David I, Malcolm IV, William I, Alexander III and Robert I.⁷ With the exception of David I and Robert I, none of these are offered as monograph studies focused on the kings and their reigns. Indeed, for the most part, published research on individual monarchs in the period 1124–1329 is limited to a series of pamphlets, scholarly articles and a number of excellent chapter-length studies.⁸

⁴ *Chron. Bower*, v, 79.

⁵ A. Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997).

⁶ R.A. McDonald, *The Kingdom of the Isles: Scotland's Western Seaboard, c.1100–c.1336* (East Linton, 1997); R.D. Oram, *The Lordship of Galloway c.900–c.1300* (Edinburgh, 2000).

⁷ R.D. Oram, *David I* (Stroud, 2004). Malcolm IV and William I are analysed in detail by Geoffrey Barrow in his introductory essays to the collected editions of the *acta* of these two kings, *Regesta Regum Scotorum*, i, *The Acts of Malcolm IV*, ed. G.W.S. Barrow (Edinburgh, 1960) and *Regesta Regum Scotorum*, ii, *The Acts of William I*, ed. G.W.S. Barrow (Edinburgh, 1971); Alexander III is the subject of two works, a monograph, J. Ferguson, *Alexander the Third* (London, 1937) and a volume of essays, N. Reid (ed.), *Scotland in the Reign of Alexander III* (Edinburgh, 1990); Robert I is the subject of Geoffrey Barrow's magisterial *Robert Bruce and the Community of the Realm of Scotland*, 3rd edition (Edinburgh, 1988). Roy Owen's recent study of the reign of William I is, for its narrative of the life and reign of the king, largely a re-working of earlier research, mainly by Barrow, but offers a fascinating examination of Scottish royal and magnatial culture in its second half: D.D.R. Owen, *William the Lion: Kingship and Culture 1143–1214* (East Linton, 1997).

⁸ See, for example, A.A.M. Duncan, *Scotland: the Making of the Kingdom* (Edinburgh, 1975), chapters 7, 8, 20 and 21; K.J. Stringer, *The Reign of Stephen: Kingship, Warfare and Government in Twelfth-Century England* (London, 1993), for David I's involvement

While such works represent a not inconsiderable basis upon which to build, this position still constitutes a staggering void in our wider understanding of what is generally recognised as the formative era in Scottish national identity,⁹ particularly since one of the pivotal reigns in which the authority of the Scottish crown attained new heights—that of Alexander II—has so far escaped large scale detailed academic analysis.¹⁰

There is a school of thought that challenges the historiographical validity of reign-based studies, questioning their value in advancing wider understanding of long term cultural, social, economic and political processes in which the king may have played a largely passive role. While there may be some limited truth in this view with regard to the later Middle Ages, for the High Medieval period, where the actions and character of the king were central to the political and cultural life of the kingdom, and to a great extent also for its religious and economic dimensions, the study of individual rulers and their reigns is an essential building block in the process of achieving a holistic view of ‘national’ developments. In an era when royal government centred on the person of the king and what we could term government and policy was shaped personally and directed by him, and where diplomacy—which affected, for example, the kingdom’s economy, foreign and domestic trade—was pursued by the king in person, studies of individual rulers constitute one amongst several very important analytical tools in the study of the pre-Wars of Independence era. It was on that premise that this volume of essays was assembled, primarily with the intention that the various contributions would stimulate wider interest in what is otherwise a strangely neglected reign.

in the civil war in England and his acquisition of the ‘northern counties’; *idem*, ‘State-building in twelfth-century Britain: David I, king of Scots, and northern England’, in J.C. Appleby and P. Dalton (eds), *Government, Religion and Society in Northern England, 1000–1700* (Stroud, 1997); G.W.S. Barrow, *David I of Scotland (1124–53): The Balance of New and Old* (University of Reading, Stenton Lecture, 1985).

⁹ See, for example, D. Broun, ‘Defining Scotland and the Scots before the Wars of Independence’, in D. Broun, R.J. Finlay and M. Lynch (eds), *Image and Identity: the Making and Re-Making of Scotland through the Ages* (Edinburgh, 1998); T. Brotherstone and D. Ditchburn, ‘1320 and A’ That: The Declaration of Arbroath and the Remaking of Scottish History’, in Brotherstone and Ditchburn (eds), *Freedom and Authority*.

¹⁰ The *acta* of David I have been analysed in detail by Geoffrey Barrow in *The Charters of King David I* (Woodbridge, 1999). Keith Stringer is working on an edition of the *acta* of Alexander II for the *Regesta Regum Scotorum* series.

Succession and Challenge

At Haddington in East Lothian on St Bartholomew's Day (24 August) 1198, Queen Ermengarde, wife of William, king of Scots, gave birth to a son who was baptised by Bishop Jocelin of Glasgow with the name Alexander.¹¹ According to Fordun, writing nearly two centuries later, the birth was the cause of universal joy in the kingdom, and continued to be celebrated for years afterwards. For some men, including the child's paternal uncle, Earl David of Huntingdon, that joy may not have been unbounded for Alexander's birth after twelve years of childless marriage gave his middle-aged brother a direct male heir and called into question David's position in the succession.¹² In some ways, Alexander's birth complicated rather than resolved the issue for, although the later medieval and modern assumption would be that the son 'born in the purple' of the reigning king would hold automatic precedence over the king's younger brother in relation to the succession, in the late twelfth century the system of primogeniture was not yet established, even in respect of royal inheritance. Indeed, despite superficial appearances which seem to show aspects of primogeniture in operation since the reign of Edgar (1097–1107), the reality was far messier and requires a short excursus here for explanation. (It is discussed in detail below by Dauvit Broun.)

At the end of the eleventh century, a Gaelic inheritance pattern where a king was succeeded by the eldest adult male of the royal kindred was beginning to break down in the face of new customs drawn from Continental and more immediately English precedents. Máel Coluim III (1058–93) had sought to break with custom and secure the succession for one of his sons, thereby excluding the rights of his younger brother, Domnall Bán. But Máel Coluim's ambitions were not driven purely by support for an emergent primogenitary principle, for the son he had in mind was not Donnchad, the surviving and legitimate child of his first marriage, but Edward, the eldest child of his second marriage. As the nephew of the Anglo-Saxon pretender to the English throne, Máel Coluim had aspirations for his son that stretched far beyond Scotland. Máel Coluim's plans, however, were thwarted by both his own death and that of

¹¹ *Chron. Melrose*, s.a. 1198; Howden, *Chronica*, iv, 54; *Chron. Fordun*, s.a. 1198.

¹² Stringer, *Earl David*, 43.

Edward in the course of a raid into Northumberland in 1093. In the confusion that followed the death of the king and his preferred heir, Domnall Bán secured the kingship and drove out his remaining rivals. Seeing an opportunity to install a passive vassal on his northern frontier, William II of England advanced a succession of candidates, starting with Máel Coluim's eldest son, Donnchad (Duncan II). He was killed in 1094 and, as his son, William, was an infant, an alternative had to be found. Máel Coluim's second surviving son, Edmund, had come to terms with his uncle in a deal that seems to have seen him being recognised as Domnall Bán's co-ruler or, at least, heir, which would have represented a continuation of the Gaelic succession system. His hostility to the Normans, however, ensured that this arrangement did not go unchallenged, and in 1097 his younger brother, Edgar, disposed of both Domnall Bán and Edmund with Norman aid and was established on the throne as an English vassal. As Edgar died childless, the throne passed in 1107 to his next surviving brother, Alexander I (1107–24), and from him to David I (1124–53). From the time of David, the succession passed through his own direct family, firstly to his eldest grandson, Máel Coluim mac Henry (Malcolm IV 1153–65), then on his death without children, to his younger brother, William.

Only in the most basic of ways could the succession over this period be said to have been directed by primogeniture. The dominant pattern, largely as a consequence of genetic failure, was collateral succession of brothers. Only in the reign of David was there a move towards strict primogeniture with the planned succession of the king's son, Earl Henry. That it was David's intention to confine the succession to his own descendants is made clear, however, by his efforts to gain recognition of his grandson, Máel Coluim, as heir following Henry's death in 1152. Primogeniture, however, was not always David's main concern and the support within the kingdom for alternative branches of the royal line show that it did not attract universal acceptance either. David's own succession in 1124 had not gone unchallenged, as there had been substantial support for Alexander I's bastard son, Máel Coluim. Indeed, support for that segment of the family was to trouble David and his heirs down into the 1200s. There was also a legitimate alternative in the person of David's nephew, William fitz Duncan, who was over thirty years old in 1124, and there are good grounds to suggest that he, rather than David's own son Henry, was the heir presumptive down until the mid 1130s.

Such a status would explain why he provided loyal support for David and why his descendants, the meic Uilleim, enjoyed such strong recognition of their rights in Scotland. Regardless of the meic Uilleim claim, then, it can be seen that there was no established principle governing the succession to the kingship, but the strongest and most recent precedent was inheritance by the eldest surviving brother. William was faced with a difficult task.

Once the immediate perils of infancy were passed, William revealed his intention that Alexander should succeed him as king. On 12 October 1201, at a council held at Musselburgh, William succeeded in persuading his magnates to swear fealty to the three-year-old prince.¹³ The move cannot have been unexpected, for the king had already shown his support for the principle of primogeniture through his recognition of the rights of Arthur of Brittany over John in respect of the Angevin succession.¹⁴ Of course, William's motives for supporting Arthur over John were more complex than simple principle over the notion of hereditary right, but, falling as it did in the midst of the still unfolding crisis over the English throne, his anxiety to settle the succession during his own lifetime is understandable. Furthermore, William, by securing recognition of Alexander as his heir, was preparing to pass to his son the still unresolved question of William's own lost patrimony in Northumberland. Clearly, the king was seeking a general acknowledgement of Alexander's hereditary rights from the political community of his kingdom. There appears, however, to have been one very significant absentee from the Musselburgh council, Earl David, the man most affected by any decision touching the succession. Indeed, the fact that Earl David failed to give his homage to Alexander until 1205 could indicate that the succession issue had placed considerable strain on William's relationship with his brother. The apparent acceptance of the new *status quo* in 1205, however, cannot be taken as a sure sign that the matter was resolved. As events in England in 1135 and 1199 had shown, the wishes of the king in respect of his successor were not necessarily followed, despite oaths extracted to ensure compliance.¹⁵

¹³ *Chron. Melrose*, s.a. 1201.

¹⁴ Stringer, *Earl David*, 43.

¹⁵ For a recent discussion of the succession to Henry I of England, see D. Matthew, *King Stephen* (London, 2002), chapter 4.

The decade 1205–1214 revealed the fragility of the inheritance that William wished to pass to his son. Throughout this period, the chronicle sources give a sense of impending crisis that drained all the energies of the elderly and ailing king as he tried to hold it in check. Central to this situation was William's relationship with England, where the throne had been held since 1199 by John, the youngest of Henry II's four sons. William, however, had voiced his support for John's nephew and rival for the crown, Arthur of Brittany, and, as a consequence, relations with John had been far from cordial. Tension grew following John's loss of the duchy of Normandy to King Philip II of France in 1204. Although John was to attempt to regain his lost duchy, his energies were increasingly confined to Britain and this inevitably brought his relations with William more sharply into focus. The situation may have deteriorated further when John became aware of a plan by William to marry one of his daughters to a foreign power, possibly the count of Holland,¹⁶ but it was John's decision to build a castle at Tweedmouth, directly across the river from Berwick, that brought the crisis to a head.¹⁷ William reacted badly to what he saw as a gross provocation and destroyed the unfinished castle. In response, John brought an army northward and, faced with the threat of a full-scale invasion of his kingdom, William yielded. The result was what one English chronicler recorded as a 'treaty of friendship'¹⁸ but which was in reality more a re-imposition of English lordship over Scotland. In return for peace, William promised a substantial cash payment—figures of between 9,000 and 15,000 marks are given in various sources¹⁹—and handed over his two daughters for John to arrange their marriages, together with hostages from the leading noble families of Scotland.²⁰ War had been averted but at considerable cost to the prestige of the crown.

Further threats followed swiftly on the heels of this first crisis. In the same year there had been growing disturbances in the west, where the meic Ruairidh had been extending their influence northward into Skye.²¹ Warfare in the Isles was always the harbinger of

¹⁶ *RRS*, ii, 18.

¹⁷ *Chron. Fordun*, 272–3.

¹⁸ Wendover, *Flores Hist.*, s.a. 1209.

¹⁹ Anderson, *SAEC*, 329 n. 1.

²⁰ *Chron. Melrose*, s.a. 1209; Duncan, *Making of the Kingdom*, 244–8.

²¹ *AU*, s.a. 1209.

disorder in the adjacent mainland, for the meic Uilleim appear to have become adept at utilising such disturbances as a cover for the launch of their successive bids to win their royal birthright. The situation was further complicated by the appearance in 1210 of a predatory Norwegian force in the Hebrides and by the reassertion of Norwegian overlordship of the earldom of Orkney,²² which threatened the political settlement that William had imposed in the north of his kingdom a decade earlier. When in the same year King John launched his campaign in Ulster against Hugh de Lacy and diverted part of his fleet to raid Mann,²³ the destabilising of the region was complete. In 1211, the threatening storm broke in northern Scotland.

The rising in support of the new generation of meic Uilleim pretenders, led by Gofraid mac Domnaill, the son of Domnall mac Uilleim, who had been killed in 1187, can be linked to the turbulence in Ireland and the Isles. Gofraid enjoyed the support of the powerful Uí Néill king of west Ulster, Áed Méith ua Néill, and was able to draw on Irish warriors. William found himself facing a significant challenge and was forced to organise two campaigns into Moray and Ross, the second of which he led in person. Even then, it took concerted action involving William, John and Alan of Galloway to bring the situation under control.²⁴ John is reported to have sent a force of his Brabantine mercenaries to aid William in the north,²⁵ but his help did not come without conditions. In 1212, with William clearly on the defensive militarily, in failing health and fearful for his son's prospects of a sure succession, John seized the opportunity to tighten his grip on Scotland through a renegotiation of the 1209 treaty. Perhaps believing that he was in no position to resist, William conceded to John the right to arrange Alexander's marriage as well as those of the prince's older sisters.²⁶ Early in 1212, the fourteen-year-old Alexander travelled south to London, where he was knighted by John.²⁷ By then, however, the initiative had already passed from Gofraid, who was soon betrayed by his own men and executed,²⁸

²² Anderson, *ESSH*, ii, 378–9, 380–381.

²³ Oram, *Galloway*, 115–6.

²⁴ *Ibid.*, 116–7.

²⁵ Anderson, *SAEC*, 330.

²⁶ Duncan, *Making of the Kingdom*, 251.

²⁷ *Chron. Melrose*, s.a. 1212.

²⁸ *Chron. Fordun*, 274.

but such had been William's sense of insecurity that he was prepared to accept John's terms regardless. The renegotiated treaty, although highly advantageous to John, also placed obligations on him to provide suitable marriages for William's three children and, although it secured cordial relations between Scotland and England for the last two years of William's life, it raised expectations that were to backfire catastrophically for John when he failed to meet them.

The crises of 1209–12 weathered, albeit at great political cost, William looked to a period of peace to smooth the path for his son's succession. Entering his seventieth year, the king, described as 'venerable' by one English clerk,²⁹ was preparing for his death with a raft of new gifts and confirmations of old grants to his great monastic foundation at Arbroath.³⁰ Queen Ermengarde, more than twenty years younger than her husband, evidently had assumed some of his administrative responsibilities.³¹ Alexander, now fifteen, was also being involved in royal government and groomed for the office that all expected him soon to inherit.³² Through 1213, William continued to set his worldly and spiritual affairs in order but his preparations were premature. In August 1214, he made one last journey north to Moray to settle a new accord with John, earl of Orkney.³³ Physically exhausted by the rigours of the trip, William made slow progress south with his health deteriorating steadily. On 8 September he reached Stirling, from where his condition prevented any further movement. At last, on 4 December 1214, attended by his wife, son and a great gathering of his nobles and servants, he died.³⁴

On 5 December 1214, the day after his father's death and five days before the old king's burial at Arbroath, Alexander II was inaugurated at Scone.³⁵ Four days of muted festivity followed, then on 9 December the new king met the cortege as it crossed the Tay from Perth, escorted by the widowed Queen Ermengarde, and accompanied it to Arbroath for his father's funeral. This seemingly indecent

²⁹ *CDS*, i, no. 599.

³⁰ *RRS*, ii, nos 511, 512, 513, 515.

³¹ For Ermengarde's administrative role see, e.g. *Dunfermline Registrum*, nos 166, 211; *RRS*, ii, 58; Duncan, *Making of the Kingdom*, 253 n. 72.

³² Alexander starts to witness charters, aged 11, in June 1210: *RRS*, ii, no. 493. He becomes more active from February 1213, aged nearly fifteen, as his father's health declined: *RRS*, ii, nos 513, 514, 519.

³³ *Chron. Fordun*, s.a. 1214; for William in Moray, see *RRS*, ii, no. 522.

³⁴ *Chron. Melrose*, s.a. 1214; *Chron. Fordun*, s.a. 1214.

³⁵ *Chron. Bower*, v, 3.

scramble for the throne before his father's body was even cold has invited comment but no serious analysis until now. As Dauvit Broun discusses below, however, the death of King William threatened crisis for the ruling royal house.³⁶ To the modern observer it may seem obvious that Alexander, as the only legitimate son of William, would have enjoyed automatic and unchallenged succession to the throne. But in 1214 in Scotland, as outlined above, male primogeniture was not an established custom. As Broun explores, it was simply dynastic accident that had seen the succession follow a direct line of male descent from David I, not policy. In 1214, however, there were other options for the succession: the experienced Earl David was the late king's eldest male relative, and there was also the unresolved question of the meic Uilleim, who clearly still enjoyed significant support amongst segments of the Scottish nobility. With Gofraid mac Uilleim's 1211 rising still a recent memory,³⁷ and Earl David such an unknown quantity to most Scots of influence, there was a perceived risk of a challenge to Alexander's succession. Haste, therefore, was vital.

The expected challenge followed swiftly. Apparently within weeks of Alexander's inauguration, acting with a speed that suggests some anticipation of the old king's death, the next meic Uilleim claimant, Domnall, had landed on the Scottish mainland and, possibly again with the military backing of the Uí Néill, was raising rebellion in Ross and Moray.³⁸ By mid-June 1215, however, the challenge had ended: Domnall and his chief associates were dead, killed in Ross by Ferchar mac an t-sacairt, and their heads sent to Alexander.³⁹ The king and his counsellors were no doubt relieved at the rapidity of Domnall mac Uilleim's demise, for a possibly greater crisis was brewing in England, where King John's turbulent relationship with his barons was moving towards a dramatic climax.

³⁶ D.Broun, 'Contemporary perspectives on Alexander II's succession: the evidence of king-lists', this volume.

³⁷ *Chron. Melrose*, s.a. 1211; Duncan, *Making of the Kingdom*, 196.

³⁸ *Chron. Melrose*, s.a. 1215; Oram, *Lordship of Galloway*, 117.

³⁹ For a recent discussion of these events and the rise of Ferchar mac an t-sacairt, see A. Grant, 'The province of Ross and the kingdom of Alba', in E.J. Cowan and R.A. McDonald (eds), *Alba. Celtic Scotland in the Medieval Era* (East Linton, 2000), 88–126 at 117–122.

War and Peace: Anglo-Scottish Relations 1216–49

On the same day that Domnall perished, John was setting his seal to the Articles of the Barons. Amongst the English king's concessions, set out in fuller form in Magna Carta, was a promise to 'do right' by Alexander in respect of the somewhat unfavourable treaties that John had forced from King William in 1209 and 1212, involving his sisters' marriages, the return of the hostages delivered up in 1209, and all unresolved questions relating to his liberties and rights.⁴⁰ Keith Stringer's analysis of Alexander's involvement in the unfolding crisis in England from 1215 to 1217 uncovers a complex interplay of forces within his council, between seasoned advisors inherited from his father and 'juvenes' who clustered round the teenage king, Anglo-Scottish landholders with personal grievances against John, 'hawks' and 'doves' attempting to direct policy and capitalise on John's difficulties, and the young king himself, determined to restore the honour of his kingship and recover what he considered to be his lost heritage.⁴¹ Alexander was surely well informed of the political developments in England, for Earl David had remained at his nephew's court after King William's funeral and the succession of ceremonial assemblies and council gatherings that followed. Moreover, amongst the barons implacable in their hostility to John were the Scottish king's two brothers-in-law, Robert de Ros and Eustace de Vescy, while one of those on whose advice John supposedly accepted the barons' demands was Alexander's constable, Alan, lord of Galloway.⁴² It cannot be doubted that Alexander received plentiful, if perhaps conflicting and not altogether impartial, advice.

⁴⁰ Magna Carta, clause 59. For a discussion of the treaties, see Duncan, *Making of the Kingdom*, 241–55.

⁴¹ K.J. Stringer, 'Kingship, Conflict and State-making in the Reign of Alexander II: The War of 1215–17 and its Context', this volume.

⁴² For a broad discussion of the de Vescy family in the context of 'British' politics of the 12th and 13th centuries, see K.J. Stringer, 'Nobility and identity in medieval Britain and Ireland: the de Vescy family, c.1120–1314', in B. Smith (ed.), *Britain and Ireland 900–1300: Insular Responses to Medieval European Change* (Cambridge, 1999), 199–239. For analysis of Alan of Galloway's role see Oram, *Lordship of Galloway*, 119–121; K.J. Stringer, 'Periphery and Core in Thirteenth-Century Scotland: Alan, son of Roland, Lord of Galloway and Constable of Scotland', in A. Grant and K.J. Stringer (eds), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1992), 82–113.

As England slid towards civil war in September 1215, Alexander moved to capitalise on John's troubles. In October the Scottish army crossed into England and Alexander took homage from the barons of Northumbria.⁴³ But loyal supporters of John still held the chief border strongholds, and by the end of 1215 only Carlisle had fallen to Alexander.⁴⁴ Soon, however, Alexander was revealed as John's equal in cynical manipulation and opportunism, for in January 1216, as John moved against his rebellious northern barons, Alexander demanded and received their homage and fealty in return for his aid against the English king.⁴⁵ John's response was swift and savage. Swearing to 'make the fox-cub enter his lair', he carved a path of mayhem and destruction through Lothian, burning Roxburgh, Berwick, Dunbar and Haddington but, as Keith Stringer discusses below, John saw the initiative in that campaign pass to Alexander and he was forced into a rapid withdrawal southwards.⁴⁶ He had achieved little by the devastation other than to confirm Alexander and his allies in their enmity to him, and Alexander, who had waited near Edinburgh with his army to block John's approach and had pursued the retreating English army towards Yorkshire, was left in practical control of northern England.⁴⁷ In May 1216, when the French Dauphin Louis landed in Kent to take the English crown at the request of the rebels, John's position in the north all but collapsed.

Alexander moved swiftly to consolidate his hold over the northern counties of England. On 8 August 1216, Carlisle town was retaken (the castle evidently held out until late in the year) and established as the seat of a Scottish administration over Cumberland and Westmorland.⁴⁸ Leaving Carlisle towards the end of August, Alexander crossed into Teesdale to besiege Barnard Castle, the stronghold of Hugh de Balliol, one of John's few remaining loyalists in the north. Lacking the necessary siege equipment, Alexander failed to take the castle, and the death there of his brother-in-law, Eustace de Vescy, perhaps the chief driving force amongst John's northern enemies,

⁴³ *Chron. Melrose*, s.a. 1215.

⁴⁴ Duncan, *Making of the Kingdom*, 521.

⁴⁵ *Chron. Melrose*, s.a. 1216.

⁴⁶ *Ibid.* Stringer, see below 120, 123.

⁴⁷ *Ibid.*

⁴⁸ Stringer, 'Periphery and Core', 89–92; Stringer, below 20–1; *Chron. Melrose*, s.a. 1216.

proved to be a severe setback with long term consequences for the alliance of northern English barons and the Scottish king.⁴⁹ Perhaps retaining only a portion of his army, Alexander abandoned the siege and made an epic journey to meet with Louis at Dover, probably in an effort to safeguard his interests in what seemed to be the likelihood of a French victory and to establish his position with Louis as the leader of the northern alliance. The rebels' confidence of victory over John, however, was misplaced, for John almost succeeded in severing Alexander's lines of communication with the north and the presence of his army in the eastern Midlands posed a serious threat to the fragile rebel position in the north. Alexander hastened northwards to counter this threat, inflicting further humiliation on John's forces en route. By the time he reached Scotland, John was already dead (at Newark on 19 October) the victim of dysentery contracted in East Anglia.⁵⁰ His death was the decisive turning point of the war, for the English baronage found that they could unite around the boy-king, Henry III. Determined to pass John's territorial legacy intact to his son, the English regents dropped all reference to Alexander's grievances from the re-issued Magna Carta: for them this was non-negotiable until Henry came of age.⁵¹ Furthermore, Alexander now found himself excommunicated by the legate sent by the pope to safeguard Henry's heritage, and Scotland was placed under spiritual interdict.⁵² The outcome was inevitable: Alexander ordered that his conquests be yielded up and in mid-December 1217 travelled to Northampton to give homage to Henry for his English lands.⁵³

Despite the singular successes of the war of 1215–16, the conflict had brought little tangible success for the Scots. Alexander, however, was not prepared to let the issue rest and entered into protracted diplomatic negotiations that finally dragged to a conclusion in a meeting with Henry III at York in June 1220.⁵⁴ The agreement

⁴⁹ Wendover, *Flores Hist.*, ii, 193–4; *Chron. Melrose*, s.a. 1216; Stringer, 'Nobility and identity', 202, 203.

⁵⁰ *Chron. Melrose*, s.a. 1216; *Histoire des ducs*, 179; Duncan, *Making of the Kingdom*, 523.

⁵¹ D.A. Carpenter, *The Minority of Henry III*, 69.

⁵² *Chron. Melrose*, s.a. 1216; *CDS*, i, nos 664, 668.

⁵³ *CDS*, i, nos 672, 673, 674, 678, 679, 684, 685.

⁵⁴ *CDS*, i, nos 730, 732, 734, 749, 758, 761, 762; Paris, *Chron. Majora*, iii, 66–7.

between the kings has been considered to have scarcely addressed the broken promises of the 1209 and 1212 treaties between their fathers, for, while Alexander was to marry one of Henry's sisters, Alexander's sisters, Margaret and Isabel, were only to be found 'suitable' but non-royal husbands in England before October 1221. Furthermore, the still festering issue of the northern counties was mentioned nowhere in the agreement. Nevertheless, Alexander had found his royal bride in Joanna of England, securing a marriage that signalled the new status and prestige of his monarchy: no king of Scots in the last century had secured so prestigious a match.⁵⁵ There should be no doubt that Alexander regarded this as an important breakthrough, for not only did it set the relationship between the Scottish and English crowns onto a personal level but it also indicated the emergence of the Scottish king as a figure of some stature on the international diplomatic stage. These were significant gains for Alexander and, moreover, he had begun to forge a relationship with his young brother-in-law that might yet bring a positive resolution of the Scots' territorial aspirations. Alexander was still young and the question of Northumberland and Cumberland could wait.

The 1220s can be seen as something of a watershed in Alexander's reign for, like his father after 1174, he now focused much of his attention on consolidating his power at home. Domestic politics, however, were not his sole preoccupation and, despite his new treaty with Henry III, he aimed to resolve the question of his status *vis-à-vis* the English crown through a renewal of earlier Scottish efforts to gain recognition of superior royal status from the papacy. His objective was to remove any suggestion that the Scottish monarchy was inferior in status to any in Europe, but quite clearly the dangerous imprecision of its relationship with the English crown was at the forefront of his plans. The main stigma was the fact that Scotland's kings were inaugurated in a secular ceremony, not anointed and crowned in the ecclesiastical ritual common in the Frankish West. In 1221, in the first move towards rectifying what he saw as a handicap, Alexander attempted to have Master James, the papal legate to Scotland, anoint and crown him. The issue was referred to the pope who, under English pressure, rejected the move.⁵⁶ On this point,

⁵⁵ *Chron. Melrose*, s.a. 1221.

⁵⁶ P.C. Ferguson, *Medieval Papal Representatives in Scotland: Legates, Nuncios and Judges-Delegate 1125-1286*, Stair Society 45 (Edinburgh, 1997), 87-8.

however, Alexander was not simply going to let the matter drop and in 1233 made a second, equally unsuccessful bid.⁵⁷ Further attempts may have followed, but it must have been clear to Alexander that the English, whose influence with the pope was almost always going to outweigh that of the Scots, would never willingly yield on the issue, despite the friendship between their kings.

Despite Henry III's success in blocking Scottish lobbying at the curia over the issue of coronation and unction, Alexander was still in a powerful position in respect of Anglo-Scottish relations. From 1234 he was again pressing for fulfilment of the 1209 treaty and, ignoring papal instructions to submit to Henry III, insisted on a final settlement. Rumours of war ran high in both kingdoms, perhaps encouraged by Alexander who knew exactly how to manipulate the febrile imaginings of his brother-in-law. Finally, on 25 September 1237 in a conference at York a treaty was settled that drew a line under the question of the northern counties and Alexander's long-standing personal grievances. In return for renouncing his claims to the counties and the 15,000 marks paid by his father to John, and abandoning the marriage arrangements for his sisters, Alexander received £200-worth of land in Cumberland and Northumberland with privileged jurisdiction over them. All copies of the 1209, 1212 and 1221 treaties were to be returned to the respective parties for destruction. At first sight, it appears that Alexander had caved in and yielded most of his claims in return for a relatively small return, but in the end it seems that Henry had recognised the dangers in permitting the uncertainty to drag on and Alexander had been bought off. It was not, however, a blueprint for peace and, after the death of Queen Joanna in 1238, Anglo-Scottish relations were tense, even coming to the verge of war in 1244.

Joanna's death presented Alexander with both a problem and an opportunity. With the death of Earl David in 1219, and his son, Earl John, in 1237, Alexander had no clear male heir. Joanna is a somewhat grey character, completely overshadowed by the dominating figure of the dowager queen, Ermengarde, who had lived until 1234.⁵⁸ Her inability to provide Alexander with any child, male or female, may be the reason why she failed to gain the place in

⁵⁷ *CDS*, i, no. 1181.

⁵⁸ *Chron. Lanercost*, s.a. 1219; *Chron. Melrose*, s.a. 1233; *Annals of Chester*, s.a. 1237.

her husband's counsels that Ermengarde held in William's. It also appears that, unlike his father's evident faithfulness to Ermengarde, Alexander had extra-marital relations after his marriage to Joanna, which is possibly an indication of the state of his relationship with her. It is possible that the pilgrimage to Canterbury that she began after the York meeting had been intended to secure saintly aid in the question of her fertility. At London, she was taken seriously ill and died there on 4 March 1238.⁵⁹ A final sign of Alexander's indifference towards his wife might be marked by his failure to bring her remains north for burial. Instead she was buried in the Cistercian nunnery of Tarrant Keynes in Dorset, a community with which her husband had no previous relationship. While the problem of an heir seems to have been resolved temporarily by the tacit recognition of his cousin, Robert de Brus, lord of Annandale, as heir presumptive, Alexander quickly set about finding a wife. This task also provided him with the opportunity to underscore his independence of England, a point reinforced in May 1239 when he married Marie de Coucy, the daughter of a powerful French baron.⁶⁰ At last, on 4 September 1241, she gave birth to their only child, a son.⁶¹ He was not named William, in honour of his grandfather, nor even David in memory of the founder of the royal line, but Alexander, and perhaps in this we glimpse something of the king's psyche.

The years following Joanna's death saw a period of uncomfortable tension between Alexander II and Henry III as negotiations for the implementation of the property arrangements that had been built into the Treaty of York were slowly worked through. Henry's prevarication and Alexander's obstinate refusal to accept any terms that could diminish the status of his crown caused the matter to drag on, and it was only Henry's urgent need to go to Gascony to defend his position there against the French that forced a conclusion of the matter.⁶² Alexander received a series of manors in Cumberland and Tynedale, valued at significantly more than the 200 librates agreed in the treaty, the security of the northern borders of England was entrusted to Alexander for the duration of Henry's absence in Gascony,

⁵⁹ *Chron. Melrose*, s.a. 1238.

⁶⁰ *Chron. Melrose*, s.a. 1239.

⁶¹ *Chron. Melrose*, s.a. 1241.

⁶² *Chron. Melrose*, s.a. 1242.

and the future amity between the two kingdoms may have been secured by the betrothal of the infant Alexander III to Henry's equally young daughter, Margaret.⁶³ The optimism of 1237 seemed to have been justified, for the deal seemed to provide a firm basis for the future good relations of the two kingdoms. Just over a year later, however, stability had once again been replaced by crisis.

At the heart of this crisis stood the Bisset family, headed by Walter Bisset of Aboyne, who had been exiled from Scotland as a consequence of their alleged implication in the suspicious death in 1242 of Patrick, heir to the earldom of Atholl.⁶⁴ Despite Alexander's strong support for Walter, the hostility towards the Bissets of the Comyn and Dunbar families, kinsmen of the dead man, had secured their disgrace and expulsion from Scotland. According to the English chronicler Matthew Paris, Walter had sworn to go on permanent pilgrimage to the Holy Land but, ignoring his vow, he headed instead for the court of Henry III, where he gave voice to his bitterness at the judgement against him.⁶⁵ Bisset, who had enjoyed a close relationship with Alexander II down to 1242, no doubt had much choice gossip to pass to Henry, but his main grievances were personal. Clearly embittered by the Scottish king's failure to protect him from his enemies; by his perpetual exile and forfeiture without judgement passed against him; and by Alexander's failure to permit him to defend himself by any means, including judicial combat, he played on Henry's fears and ambitions. One tack employed by Bisset appears to have been to raise the issue of English superiority over the Scottish crown, apparently claiming to Henry that Alexander, as an English vassal, could not pass such a sentence without due process of law and without the assent of his overlord. Building on that point, he drew attention to Alexander's sheltering in Scotland of Geoffrey Marsh, the outlawed father of the recently executed English pirate, William Marsh, which was presented as a violation of a vassal's duty to in no way harm or hinder the interests of his lord. These may appear to be comparatively minor issues, but they reached Henry's ears at a time when a number of other disturbing pieces of news

⁶³ Matthew Paris, *Chron. Majora*, iv, s.a. 1242; Duncan, *Making of the Kingdom*, 535 and 536 n. 28, where the chronology offered by Paris for this betrothal is questioned.

⁶⁴ For a discussion of the events of 1242, see below 27–35.

⁶⁵ Matthew Paris, *Chron. Majora*, iv, s.a. 1242 = 1243.

concerning Scotland were circulating at court. Matthew Paris lists a series of other factors, headed by reports of a letter from Alexander to Henry in which the Scottish king denied any suggestion that he held one fragment of his kingdom as a vassal of England. Coming close on the heels of Alexander's marriage to Marie de Coucy, Henry clearly suspected that his former brother-in-law was preparing to ally himself formally with his French enemies. Added to this came news that Walter Comyn, earl of Menteith, one of the leading figures in the action against the Bissets, was fortifying castles on Scotland's southern border.⁶⁶ Taken together and working on the mind of a king given to almost paranoid reaction, this catalogue of real or imagined slights and threats convinced Henry that Alexander was planning war against him.

In the spring of 1244 the crisis in Anglo-Scottish relations lurched closer to open warfare. Having issued instructions in April to his sheriffs to arrest any foreigners travelling through England towards Scotland, and to send to him any letters that they were carrying, Henry followed this in May with instructions for his army to assemble at Newcastle by 1 August. Alexander appears to have mustered his army also, and in August advanced into Northumberland as far as Ponteland.⁶⁷ There, a deputation headed by the archbishop of York, persuaded Alexander to enter into negotiations and on 15 August at Newcastle a settlement was reached. The speed with which the agreement was reached and the assurances given by Alexander suggest that there was no substance to Henry's fears of a formal Franco-Scottish alliance against him. Alexander promised his faith and love to 'his lord' Henry, and stated that he would not enter into any alliances that would harm Henry's interests in England, Ireland or his other lands, a clause clearly aimed at preventing future Franco-Scottish alliances or further support for the Marshes.⁶⁸ To further strengthen the bonds between the two kingdoms, the future marriage of Alexander's son and Henry's daughter was either reaffirmed or arranged.⁶⁹ The treaty also bore the name of four Scottish

⁶⁶ Matthew Paris, *Chron. Majora*, iv, s.a. 1242 = 1243, s.a. 1244; Duncan, *Making of the Kingdom*, 535–6.

⁶⁷ *Chron. Melrose*, s.a. 1244; Matthew Paris, *Chron. Majora*, iv, s.a. 1244.

⁶⁸ Matthew Paris, *Chron. Majora*, iv, s.a. 1244.

⁶⁹ Duncan, *Making of the Kingdom*, 536.

bishops and twenty-four earls and magnates who swore to uphold its terms.⁷⁰ Later that year, Henry also received oaths from Walter Comyn and Patrick of Dunbar, supported by forty and thirty-nine compurgators respectively, that they had played no part in piratical raids on Ireland in the 1230s, nor had they been instrumental in securing refuge in Scotland for Geoffrey Marsh.⁷¹ Together, as argued by Archie Duncan, these oaths represented an attempt by Henry to place responsibility for the actions of Alexander on the shoulders of the Scottish nobility,⁷² and it formed part of a new approach to management of Anglo-Scottish diplomacy on the part of the English crown. As Duncan pointed out, since Alexander's renunciation of his rights to the northern counties, Henry had lacked a subtle means of exerting leverage on the Scottish king. What happened in 1243–4 was the playing of the superior lordship card, with the English king simply airing his claim to homage from Alexander. It was not pushed, but its presence had been registered with the Scots. It would be wrong to view Alexander's treaty with Henry as easily yielded by the Scots as meaningless, or that Henry had used 'the big stick' to secure all that he wanted. In 1244, Henry was faced with mounting political pressure from his barons and, threatened also by trouble in Wales, he needed a quick settlement. What he had obtained at Newcastle was a reaffirmation of good relations between the two kingdoms at a time when foreign and domestic threats were building against him.

Anglo-Scottish relations remained tranquil but not necessarily amicable for the remainder of Alexander's reign. One continuing cause of tension was the Bissets, whose grievances remained unresolved. Walter and his nephew, John, offered their service to Henry, Walter receiving a Nottinghamshire manor until such time as he recovered his heritage in Scotland, and a portion of the former Galloway lands in Ulster.⁷³ The Bissets' Ulster properties had come under attack from Patrick of Atholl's kinsmen, headed by his bastard brother, Alan fitz Count, as early as 1243.⁷⁴ This raid had been one of the

⁷⁰ *CDS*, i, nos 1654, 1655.

⁷¹ *CDS*, i, nos 2671, 2672.

⁷² Duncan, *Making of the Kingdom*, 536.

⁷³ Young, *Comyns*, 44.

⁷⁴ Bower, *Scotichronicon*, v, 185.

many factors contributing to the souring of Anglo-Scottish relations in that year, and Alexander II had deliberately distanced himself from Alan's actions in his reply to Henry's demand for the young man's surrender to him.⁷⁵ Alexander may have felt a certain amount of exasperation at this continued display of aristocratic pursuit of vendetta contrary to his will, but there is no evidence that he took any active steps to punish Alan. Some four years later, perhaps as part of meic Somairle involvement in the wars in west Ulster between the Uí Néill and Uí Domnaill against Maurice fitz Gerald, Alan attacked Bisset in the castle of 'Dunaverdun' (either Doonavernon or Dunaverty in Kintyre), killing his men and seizing his supplies.⁷⁶ Bisset himself may have been captured on this occasion or opted to make a fresh bid for peace, for he may have been back in Scotland by at least November 1247.⁷⁷ Probably to the chagrin of his enemies, however, he quickly won his way back into royal favour, aided by his political association with the increasingly powerful Alan Durward, and he was to accompany the king on his final campaign into Argyll in July 1249.⁷⁸ Bisset's smooth re-entry into Alexander's peace may have served to neutralise any diplomatic repercussions of this fresh aggression by one of the Scottish king's vassals against a servant of the English crown in Ireland, an action which breached the terms of the 1244 treaty. By 1248, Henry III's attentions were fixed firmly in other directions.

Domestic Politics c.1220–1249

For the first five years of his reign, Alexander's principal focus lay in Anglo-Scottish affairs. The domestic agenda, in as much as it can be seen, was dominated by containment of the meic Uilleim and their allies (see below 36–7) and it is only following the death of King John and the collapse of the rebellion in England that Alexander's priorities shifted to an inward focus. A factor behind that shift may have been the removal from the scene of a number of the 'hawkish'

⁷⁵ Bower, *Scotichronicon*, v, 187. Alexander presented him as a mercenary figure operating as a free agent in the Norse-Gaelic world of the western sea-lanes, 'a vagabond and foreigner [who] was seeking better means of support as he came and went between England, Ireland and Norway'. See also Oram, *Galloway*, 153.

⁷⁶ *CDI*, ii, no. 2; Oram, *Galloway*, 153.

⁷⁷ *RMS*, i, no. 188.

⁷⁸ *RMS*, ii, no. 3136.

figures who had dominated his household and administration since 1214, some through their deaths others possibly through a change in personnel that followed Alexander's entry into mature adulthood in 1219. The first significant change in the personnel who surrounded the king followed closely, in *c.*1220–1221, when a line was drawn finally under the conflict with England that had dominated the early years of the reign. Many of the men who had influenced and guided him through that turbulent period had careers that extended back into the 1180s and 1190s and had been prominent in the service of the king's father. From *c.*1220, a new generation of nobles and administrators entered the scene, men with little direct experience of the bitter twilight of William's reign. By harnessing their interests to those of the crown, and maintaining that relationship for most of his reign, Alexander set the foundations for one of the most successful reigns in medieval Scotland.⁷⁹

One example of these changes was the effective disappearance of the de Valognes family, who had held the office of chamberlain from 1165 to *c.*1171 and continuously since 1193,⁸⁰ and their replacement by a new, rising baronial family. The aged Philip de Valognes, King William's chamberlain, had died in November 1215⁸¹ and been succeeded by his son, William, whose active career had begun in the 1190s.⁸² William de Valognes, however, never established the prominence that his father had held and was dead before 21 June 1219.⁸³

⁷⁹ Men like Walter Comyn, earl of Menteith from 1233 and the leading figure in the Comyn family, represented continuity from the early years of the reign, and came to be something of an 'elder statesman' through the 1240s and into the 1250s. A new group of household officers and administrative men, including some whose careers commenced early in Alexander's reign or late in his father's time, however, begins to emerge in the early 1220s. Amongst such men were Thomas the Durward and his son, Alan, the new chamberlain, Henry Balliol, David Marshal, John Maxwell, and Walter Olifard (justiciar of Lothian 1221–42). Walter fitz Alan, the Steward, begins to re-stake his family's place at the centre of Scottish political life in *c.*1220, but it is only following the Scoto-Norwegian conflict of 1230–1 and his appointment as justiciar of Scotia that he establishes a dominant place in royal councils. An ill-defined secondary group include men like Laurence Abernethy, Roger Avenel, Enguerrand Balliol, Walter and William Bisset, Bernard Fraser, John and Thomas Hay, David and William Lindsay, Robert de Meyners, Philip Melville, Thomas Randolph, Henry of Stirling (bastard son of Earl David) and John de Vaux (later to serve in the Queen's household).

⁸⁰ *RRS*, ii, 6, 33.

⁸¹ *Chron. Melrose*, s.a. 1215.

⁸² *RRS*, ii, no. 375.

⁸³ *Chron. Melrose*, s.a. 1219. He witnessed only nine royal charters between March/April 1215 and May 1216 × 1219.

He left no sons, his heritage consequently being divided between the husbands of his three daughters, Henry de Balliol, Peter de Maule and David Comyn.⁸⁴ It is likely that the office of chamberlain had become increasingly honorific in the course of King William's reign as the financial organs of royal government had developed in sophistication, but, alongside the chancellor, the chamberlain remained a key figure in royal councils. The burden of the day to day administration of royal finances was certainly devolved into the hands of professional clerks but the chamberlain retained oversight of their function and, therefore, effective control of the royal moneybags. Clearly, this role brought power and influence to the holder of an office whose efficient operation would underpin the crown's ability to project its authority throughout the kingdom.

By December 1222, the office of chamberlain was in the hands of Henry Balliol,⁸⁵ possibly inherited by him through his marriage to Lora de Valognes. Lord of Cavers in Roxburghshire, Henry was probably the youngest brother of Hugh Balliol of Barnard Castle in County Durham, head of a family that was rising rapidly in English political life.⁸⁶ His nephew, John, was to marry Dervorgilla of Galloway, daughter and co-heiress of Alan of Galloway and a cousin of the king, while his elder brother, Enguerrand, lord of Inverkeilor in Angus and Urr in Galloway, was husband of the heiress of another former royal chamberlain, Walter de Berkeley. Under Henry, the Balliols secured possession of the chamberlainship, holding the office for most of the remainder of the reign, while Henry himself became one of the central figures in Alexander II's household and administration. From 1222 until his death in 1246, Henry witnessed forty-four surviving royal acts, placing him amongst the innermost group of royal familiars. His position was clearly one of great influence with the king and it can be assumed that he employed his position to the advantage of his family in 1234–5 during the Galloway succession crisis, from which his nephew emerged as a powerful new player in the Scottish political scene. Whilst Henry Balliol's principal political and territorial interests were located in Scotland, his

⁸⁴ Stringer, *Earl David*, 201.

⁸⁵ NLS Adv. MS 34.1.10, ii, p. 266.

⁸⁶ G. Stell, 'The Balliol Family and the Great Cause of 1291–2' in K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), 150–165 at 154 and table on 153.

wider family was embedded deeply into the political community of northern England and had a strong relationship with Henry III, in whose service John Balliol would later be employed in Scotland.⁸⁷ This personal position may have given Henry Balliol added importance during the difficult years of negotiation which led to the Treaty of York in 1237, as through it he could offer a bridge between the inner councils of the kings of Scotland and England. In Henry, then, Alexander II had a chamberlain who on the one hand represented continuity through hereditary succession from the previous incumbent but who on the other marked a significant shift in the political constituency of the royal councillors.

Whilst the Balliols rose high in Alexander II's reign, it was in the later thirteenth century that their influence was greatest. Their elevation in the service of Alexander II was greatly overshadowed by that of another family who broke into the inner circle of power, the Durwards. The Durwards were one of several families that had hovered on the fringes of the upper stratum of the political community in the late twelfth and early thirteenth centuries.⁸⁸ Like their rivals in the minority of Alexander III, the Comyns, the Durwards established their position through service to the crown, but, unlike the Comyns, were unable in the longer term to translate the rewards of service into a lasting power-base. The founder of the family's fortunes was Malcolm, a man of apparently Gaelic pedigree, who was evidently already holder in the later twelfth century of the substantial lordship of Lundie in upper Strathdighty in western Angus that formed the core of his descendants' estates in the early 1200s. He is a shadowy figure, but his marriage to a daughter of Earl Gille-Chriosd of Mar establishes that he was a man of substance amongst the native nobility north of the Tay.⁸⁹ Although he is not so styled in surviving charters, Malcolm of Lundie was probably holder of the already hereditary office of *hostiarius* or Doorward of the king of

⁸⁷ Henry's elder brother, Hugh, had held Newcastle upon Tyne for King John and Henry III during the civil war of 1215–17. For his role in Henry III's minority, see D.A. Carpenter, *The Minority of Henry III* (London, 1990), 20, 58.

⁸⁸ For recent discussions of the rise of the Durwards, see R.D. Oram, 'Continuity, Adaptation and Integration: the Earls and Earldom of Mar c.1150 to c.1300', in S. Boardman and A. Ross (eds), *The Exercise of Power in Medieval Scotland* (Dublin, 2003), 46–66 at 53–6, and M.H. Hammond, 'Hostiarii Regis Scotie: the Durward family in the thirteenth century', in *ibid.*, 118–37.

⁸⁹ Hammond, 'Durward family', 119–21.

Scots, from which his descendants took their name.⁹⁰ His elder son, Thomas of Lundie, emerged as a man of baronial status towards the end of William I's reign.⁹¹ By that time he had already acquired a substantial propertied interest in Mar through his descent from Earl Gille-Chriosd.⁹² With the succession to the earldom in dispute between the heirs of Gille-Chriosd and those of Gille-Chriosd's predecessor as earl, Morgrund, King William may have imposed a partition of the *comitatus* that accommodated both lines. The point of such a compromise can be seen in 1211, when Thomas and his rival for the earldom, Malcolm, son of Morgrund, functioned as what Geoffrey Barrow termed a 'synthetic earl of Mar' as joint commanders of the army of Mar in the campaign against Gofraid mac Uilleim in that year.⁹³ That campaign served to establish his family as important players in royal schemes for the tighter control of the Highlands and probably led to the development of the Durwards' interests in the region.

Thomas of Lundie's political elevation was confirmed early in Alexander II's reign. Down to 1228, he attested fourteen royal charters at locations scattered from Edinburgh and Stirling to Elgin.⁹⁴ This scarcely constitutes evidence for political prominence, but his importance in royal councils is underscored by his role in June 1220 as an oath-taker in the arrangements made at York for securing the new treaty between the king and Henry III of England.⁹⁵ Nevertheless, despite his political prominence, when the long dispute over the succession to the earldom of Mar was finally settled, it was his rival, Duncan son of Morgrund, who was awarded the prize, albeit with a severely truncated heritage from which a substantial territorial lordship had been shorn with which to compensate Thomas.⁹⁶

⁹⁰ *RRS*, ii, 38–9.

⁹¹ For Malcolm's younger son, Ewen, see *Arbroath Liber*, no. 141 and *Scone Liber*, no. 106. A possible third son, Walter hostiarius, witnesses *Scone Liber*, no. 106 after Ewen.

⁹² *Arbroath Liber*, no. 65; *RRS*, ii, no. 452.

⁹³ *RRS*, ii, 64; Bower, *Scotichronicon*, v, 465 and notes.

⁹⁴ Stuart, *May*, no. 19; *Glasgow Registrum*, nos 132, 134; *Knights of St John*, no. 1; *Melrose Liber*, nos 174, 255; *Scone Liber*, no. 68; *Arbroath Liber*, no. 100; *CDS*, i, no. 762; *Moray Registrum*, nos 32, 52, 109; NLS Adv. MS 35.4.12A, no. 3; SHS, *Misc*, iv, 313.

⁹⁵ *CDS*, i, no. 762; Bower, *Scotichronicon*, v, 105.

⁹⁶ Oram, 'Mar', 55–6.

The settlement of the long-running dispute over the succession to Mar marked a significant shift in royal policy and in legal practice. By the 1220s, the male primogeniture system of the Frankish colonial elites had largely secured acceptance as the norm for inheritance and succession in southern Scotland and the regions of most intensive colonial settlement where land was granted by the king on 'feudal' terms. Outwith that zone, and especially in the Gaelic earldoms and the great lordships of the west, older practices, often revolving around tanistry, still held the ring. In Mar, a series of issues had collided: primogeniture versus tanistry and two conflicting views on the issue of bastardy and inheritance. These issues, of course, were central to the question of the royal succession, which Alexander was determined to resolve finally. Mar, in some ways, represented a test case, for it was the first incidence of a disputed succession to one of the great provincial earldoms, where differing legal custom would produce dramatically different results.⁹⁷ The settlement was made in accordance with primogeniture, but due recognition was given of the disappointed claims of one of the comital lines through the award to the Durwards of a substantial territorial lordship, which was carved from the *comitatus* of Mar.⁹⁸

The primacy of feudal practice over native custom that underpinned and legitimated Alexander's final elimination of the challenge for the throne from his now distant meic Uilleim kinsmen (see below 41), and which determined the settlement of the Mar inheritance dispute, was imposed with rigour in the case of the greatest heritage in the kingdom, the succession to the lordship of Galloway.⁹⁹ Alan's death in February 1234–5 ended the direct legitimate and senior male line of the lords of Galloway descended from Uhtred, son of Fergus. Alexander was presented with an opportunity to end the ambiguous relationship between Galloway and the Scottish king, where the lordship had maintained a remarkable degree of autonomy as a legacy of its independent past, but where its lords, through

⁹⁷ The case of Menteith in the early 1200s does not quite fit this mould, for the issue between the two Maurices appears to have focussed on the sonlessness of the elder brother, who resigned his earldom intact in favour of the closest male heir, the younger Maurice, rather than see its partition between heiresses. See Duncan, *Making of the Kingdom*, 199–200.

⁹⁸ Oram, 'Mar', 55–6.

⁹⁹ Oram, *Galloway*, 141–50.

progressive integration into the ranks of the Anglo-Scottish nobility, held major estates and offices in Scotland as vassals of the crown. Alan had left heirs, but his only surviving son, Thomas, was a bastard for whom he had made little provision within Galloway, instead trying to win a throne for him in Mann. Against Thomas was ranged his three sisters, Helen, Christiana and Dervorgilla, and their husbands, Roger de Quincy, earl of Winchester, William de Forz, heir to the earldom of Aumale, and John Balliol of Barnard Castle, amongst whom the inheritance would be divided should feudal law prevail. Thomas, at first, enjoyed little support amongst the people of Galloway, who instead asked Alexander to take the lordship into his own hands or, failing that, to give it to another of the legitimate males of the lordly kin, possibly the under-age Patrick, son of Alan's younger brother, Thomas, earl of Atholl.¹⁰⁰ Clearly, the Galwegians were determined to avoid partition of the lordship between the heiresses and their foreign husbands. Alexander, however, could not easily set aside the same principles that had been employed so effectively against his own rivals and rejected the appeal.

Alexander's decision reflected the enhanced authority of the Scottish crown which his military and diplomatic successes had brought. He could impose a settlement based on feudal legal principles that suited the purposes of royal policy. It has been suggested that the upheavals which Alan's ambitions in Ireland and the kingdom of Mann had brought down to 1231 presented compelling reasons for Alexander to prevent the military and naval might of Galloway from falling intact into the hands of one man,¹⁰¹ but this may have been simply one of many determining factors that led him to his decision. It is more likely that Alexander enforced partition because he could and that imposition of feudal inheritance laws was nothing more than the logical extension of the policies employed in respect of the meic Uilleim pretenders and Mar. Royal authority had grown immeasurably since the death of King William and Alexander had the strength and the will to end the political anomaly and potential threat to Scottish security represented by Galloway. The legality of his decision to treat the lordship as a feu was probably irrelevant to a king who had pursued a policy of aggressive military expansion of his

¹⁰⁰ *Ibid.*, 101–2.

¹⁰¹ Stringer, 'Periphery and core', 96–7.

kingdom since his accession: Alexander needed no greater legitimacy for his actions than the perceived political needs of Scotland. Opportunism dressed up as adherence to legal principles lay behind his moves, and there was the added benefit of the political advantage to be gained from championing the rights of his kinswomen and their influential husbands, men already linked closely with Alexander and his government.¹⁰²

For most of his reign, Alexander successfully harnessed the ambitions of his nobles to the interests of the crown, as in the Galloway succession dispute or the progressive extension of Scottish royal power into the northern and western Highlands, where southern and eastern Scottish based nobles were rewarded for their loyal service with substantial lordships. Crown-magnate tensions, however, were not unknown, as was seen most clearly in 1242 in the political crisis that followed the death in suspicious circumstances of Patrick, the only legitimate son of Thomas of Galloway, the young heir to the earldom of Atholl, when a significant group of the nobility headed by the Comyn family forced the reluctant king to take action against the individuals suspected of his murder, who were currently riding high in his favour.¹⁰³ Patrick of Atholl's kinship with the Comyns had given him immense importance in that family's political ambitions, for his inheritance—comprising the earldom of Atholl and his paternal estates in Lothian, Cunninghame, Galloway and Ulster—would have extended their reach considerably in parts of the kingdom where their influence had previously been weak. The snatching away of this tantalising prize was a bitter blow for the Comyns, but it was rendered more unpalatable yet by its coincidence with an erosion of their influence with the king, who was channelling his favour instead towards new rising stars amongst the middle-ranking nobility, principally the Bisset and Durward families. The Comyns' reaction to Patrick's death in the burning of the lodgings at Haddington occupied by him and his companions following a tournament in the burgh has resulted in the historiographical linking of their kinsman's supposed murder to the territorial rivalry between these noble families.

¹⁰² Oram, *Galloway*, 143.

¹⁰³ *Chron. Melrose*, s.a. 1242; Paris, *Chron. Majora*, iv, s.a. 1242; Duncan, *Making of the Kingdom*, 544–6; Young, *Comyns*, 41–3; Oram, *Galloway*, 150–2.

In the account of events offered by the strongly pro-Comyn *Chronicle of Melrose*, the villains of the piece were Patrick's uncle-by-marriage, Walter Bisset, lord of Aboyne, and his Walter's nephew, John Bisset.¹⁰⁴ The general contemporary view seems to have been that control of property lay behind the young man's death, the Lanercost chronicler stating that Patrick had been murdered 'because he was expected to become a great lord of a certain heritage' and that he had been warned of the plot against him by a letter from the wife of his eventual murderer.¹⁰⁵ This claim implicitly alludes to the fact that Walter Bisset's wife, Ada, was Patrick's paternal aunt, sister of Alan and Thomas of Galloway, and that his murder arose from Bisset's ambitions to acquire some part of Patrick's Galloway inheritance. Certainly, the Bissets were active participants in royal operations in the west, where Thomas of Galloway had been a major contributor to Alexander II's campaigns, and may have cherished ambitions to develop a more substantial landed interest in the region,¹⁰⁶ but there is not one shred of evidence to support the accusations levelled against them by the Comyns. Why, however, had the Comyns seized this opportunity to mount an attack against the Bissets?

In terms of landed power and political significance, the Bissets were relative parvenus in comparison to the Comyns, although they had managed to carve a significant niche for themselves in northern Scotland since their entry into the Scottish social elite towards the end of William the Lion's reign. By the 1220s, the Bisset brothers John, Walter and William, had secured a place in the tight circle of nobles orbiting around the king¹⁰⁷ and had acquired a scattering of important properties from Roxburghshire to the Aird west of Inverness. John Bisset, father of the man who was subsequently accused of Patrick of Atholl's slaughter, may have acquired the lordship of the Aird as early as 1211–12.¹⁰⁸ His brother, Walter, had received the royal thanage of Aboyne by c.1230 and around the

¹⁰⁴ *Chron. Melrose*, s.a. 1242; *CDS*, ii, no. 212.

¹⁰⁵ *Chron. Lanercost*, 49–50.

¹⁰⁶ William Bisset held the sheriffship of Dumbarton in 1237 and Walter Bisset may have controlled Arran, where he died in 1251.

¹⁰⁷ John and Walter Bisset make their first recorded appearance as witnesses to an act of Alexander II at Fyvie in February 1222 (*Arbroath Liber*, no. 131), a location which also emphasises their emergent role as royal agents in the north of the kingdom. William witnesses his first royal act in 1224 (*Paisley Registrum*, no. 214).

¹⁰⁸ Grant, 'The Province of Ross', in Cowan and McDonald, *Alba*, 111.

same time added the lordship of Stratherrick on the south-east side of Loch Ness to his possessions.¹⁰⁹ The third of the trio, William, acquired another strategic lordship, Abertarff at the southern end of Loch Ness, which controlled the western end of the important Corrieyairick route between the Great Glen and Badenoch.¹¹⁰ All of these properties lay in areas where the Comyns held a dominant territorial interest but where the other rising political star and rival of the Comyns, Alan Durward, also held significant influence.¹¹¹ It was with Durward rather than the Comyns that the Bissets had forged their political connections, thereby strengthening the hand of a man whose interests had already collided with Comyn ambitions in Atholl and Mar.¹¹² This alignment alone may have been sufficient to stoke the fires of hostility between the two families, but there were other factors at play which may have contributed to a mounting sense of insecurity on the part of the Comyns, most notably the death earlier in 1242 of John Comyn, earl of Angus, which had resulted in their loss of control over that earldom.¹¹³ It may have seemed to the Comyns in the early 1240s that their grip on power in north-east Scotland was being prised loose.

Comyn insecurities in early 1242 may have been heightened by the shocking and perhaps suspicious nature of their kinsman's death at Haddington and resulted in intemperate and ill-considered actions by some of the younger members of the family. According to the 15th-century chronicler, Walter Bower, Walter Bisset was the target of a violent assault against his castle and possessions at Aboyne by Alexander Comyn, earl of Buchan, and his nephew, John Comyn I, lord of Badenoch.¹¹⁴ This attack on Walter Bisset may have arisen from a combination of the Comyns' antipathy towards a man who had carved a significant position for himself in a region that they considered to be their preserve and Alexander II's reluctance to take

¹⁰⁹ A. Grant, 'Thanes and Thanages from the Eleventh to the Fourteenth Centuries', in A. Grant and K.J. Stringer (eds), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993), 39–81 at 74; *APS*, i, 110.

¹¹⁰ *The Charters of Beaulieu Priory* (Grampian Club, 1877), 33.

¹¹¹ Young, *The Comyns*, 38–40.

¹¹² Oram, 'Mar', 54–62; M.H. Hammond, 'Hostiarii Regis Scotie: the Durward family in the thirteenth century', in Boardman and Ross, *Exercise of Power*, 118–38 at 123–30.

¹¹³ *Chron. Melrose*, s.a. 1242; Young, *The Comyns*, 42.

¹¹⁴ Bower, *Scotichronicon*, v, 181.

action against a family who had climbed high in his service. The Bissets' territorial interests had, after all, largely stemmed from royal rewards for service in Alexander's northern campaigns and the family's closeness to the king was evident not only in their regular occurrence as witnesses to his charters but also in such public acts as John Bisset's emulation of the king's piety in founding a priory at Beaulieu for a community of the same austere Valliscaulian order that Alexander had placed at Pluscarden.¹¹⁵ Bower emphasises the closeness of the relationship, claiming that at the time of Patrick's death the king and queen, who had been in Moray, visited Aboyne on their southward journey and stayed overnight.¹¹⁶ Queen Marie, indeed, was one of Bisset's principal defenders in the events which followed and was even prepared to swear on oath to his innocence. Bisset himself strenuously denied any involvement in the act and arranged for the excommunication of the perpetrators, the banns being publicly proclaimed throughout the diocese of Aberdeen. This ostentatious display of condemnation of the act, however, did not succeed in silencing the clamour against the Bissets.

Alexander now clearly found himself in a difficult position. It appears that he did not feel that there was a case against Walter to be answered, but the Comyns and their political allies were not prepared to let the issue drop. In July 1242, Alexander was present at Perth where a major council of the Scottish Church had gathered to discuss the pressing issues of secular interference with rights to tithes and other infringements of Church privileges.¹¹⁷ This council possibly coincided with the gathering of a more general colloquium of the political elite of the kingdom, for Bower indicates that the senior nobility used this occasion to increase the pressure on the king, and states that 'when the king had withdrawn with his barons to his own separate quarters at that council, all the earls complained about the burning of the earl of Atholl.'¹¹⁸ The agitation was not

¹¹⁵ *Beaulieu Charters*, 14–15.

¹¹⁶ Bower, *Scotichronicon*, v, 179. Although Alexander continued with his journey the next day, Queen Marie and her entourage stayed for four nights.

¹¹⁷ Bower, *Scotichronicon*, v, 181; Watt, *Councils*, 69–70.

¹¹⁸ Bower, *Scotichronicon*, v, 181. Alexander appears to have been resident at Scone Abbey during this council, the royal castle in Perth never having been rebuilt after its partial destruction in the flood of 1209. On 15 July 1242, he issued an act in favour of the church of Glasgow at Scone (*Glasgow Registrum*, no. 181), to which David de Bernham, bishop of St. Andrews, Geoffrey, bishop of Dunkeld, Walter Comyn, earl of Menteith, and the chamberlain Henry Balliol were witnesses.

restricted solely to the Comyns, for Matthew Paris identifies Patrick, earl of Dunbar, as the leader of those calling for formal action against Bisset.¹¹⁹ Earl Patrick, like the Comyns, had some kinship tie to the murdered Atholl heir, but he was also the king's cousin. His siding with the men aligned against the Bissets may have persuaded Alexander that action had to be taken to prevent the situation from spiralling further out of control. Already, the younger bloods of the Comyn network had shown their readiness to break the peace of the kingdom in their pursuit of what they considered to be justice for their dead kinsman. Alexander needed to assert his authority in the matter and ensure that royal justice prevailed over aristocratic self-help. As a result, he decided to reserve the issue to the formal judgement of his court at Forfar.¹²⁰ Clearly, he doubted his ability to ensure Bisset's safety and was obliged to instruct the gathering of the army of the province of Mar, over which the pro-Comyn Earl William and the pro-Bisset Alan Durward would have exercised command, to conduct Walter from Aboyne to Forfar.¹²¹

At Forfar, Bisset mounted what appears to have been a rigorous defence of his innocence, offering to defend himself in judicial combat or by compurgation, and ultimately settling for judgement by Alexander.¹²² Determined to take control of the situation, Alexander refused to be pushed into making a rushed judgement and appointed a date for a trial in Edinburgh. That he intended the judgement of his court to be the end of the matter is evident from his decision to deny any appeal and refusal to brook any pleas, from either side, for a delay. The court sat on 26 November in what, according to Bower, was a very rowdy session. Despite royal support for the Bissets, hostility from amongst a powerful group of nobles made it clear that there could only be one outcome that would restore stability: the Bissets had to go. Accordingly, a sentence of forfeiture and perpetual banishment was passed upon them.¹²³ One contemporary source suggests that Alexander was sufficiently aware of the

¹¹⁹ Matthew Paris, *Chron. Majora*, iv, 200–202.

¹²⁰ Bower, *Scotichronicon*, v, 181. This assembly may have taken place in early August, as the co-justiciars of Scotia, Philip de Melville and Robert Mowat, and the important knight Robert de Meyners, were present there on 4 August when they witnessed a royal act (*Ayr Friars Chrs*, no. 1).

¹²¹ Bower, *Scotichronicon*, v, 183.

¹²² *Ibid.*

¹²³ Matthew Paris, *Chron. Majora*, iv, 200–201; Bower, *Scotichronicon*, v, 185.

hatred directed towards Bisset that, despite the nobles' acceptance of the judgement, he was obliged to shelter him until such time as he had put his affairs in order and could quit the country.¹²⁴ Whatever gloss is put on the events of 1242, it is clear that the king had barely managed to keep control over a highly explosive situation. His authority, and that of his officers, had been challenged by noble interests who seem to have been able to escape without censure for their behaviour in the course of the harrying of Walter's lands and property. These same nobles, moreover, had forced Alexander into actions which he was reluctant to take. Even then it seems that they did not consider his judgement to be sufficiently severe and were clearly prepared to defy royal authority once again to take their own revenge on Bisset. The passions which this case aroused make it difficult to discount entirely the accusations levelled against the leading members of the Bisset family. Clearly, there were many unconnected with the Comyn or Dunbar groups who were convinced of their guilt. Nevertheless, the strength of the king and queen's support for Bisset and his defence of himself suggest that the case was less clear cut.

Fallout from the Bisset crisis was to claim several more important casualties before the matter was overtaken by new events. Discussion of the two men who early in 1241 replaced Walter fitz Alan as co-justiciars of Scotia has followed two tracks. Firstly, that Robert de Mowat was 'undoubtedly an ally or dependent of the Comyns', and, secondly, that his colleague, Philip de Melville, was a nonentity.¹²⁵ Their tenure of the justiciarship was short-lived, both being replaced before March 1244 by a new sole justiciar, Alan Durward.¹²⁶ The accepted view of their dismissal is that it was a consequence of their failure to control the violent disorders in Mar that had followed the suspicious death of Patrick, heir to the earldom of Atholl, when Patrick's Comyn kinsmen had attacked the men and property of the Bisset family, whom they held responsible for his slaughter.¹²⁷ Their failure, it has been implied, was attributable to their partisan involve-

¹²⁴ Matthew Paris, *Chron. Majora*, iv, 201.

¹²⁵ Duncan, *Making of the Kingdom*, 545; Young, *Comyns*, 45.

¹²⁶ Mowat and Melville last appear as justiciars as witnesses to a royal charter on 4 August 1242 at Forfar [*Ayr Friars Preacher*, no. 1] and Durward is first accorded the title in a royal charter issued at Kelso on 14 March 1244 [Rogers, *Coupar Angus*, i, 326–7].

¹²⁷ Duncan, *Making of the Kingdom*, 544–6; Young, *Comyns*, 41–4, 45; Oram, *Galloway*, 150–151.

ment in the affair as associates of the Comyns.¹²⁸ If that were the case, then their replacement can hardly have been considered any less partisan, as Durward was a close political associate of the Bissets.

Although it has been suggested that the Mowats' power-base was Ross and that they formed a part of the Comyns' political nexus,¹²⁹ they were primarily an Angus-based family and can be seen to pursue their own interests rather than being pinned to one political affiliation.¹³⁰ Melville, moreover, was also no political lightweight and likewise had experience in the administration of royal justice that extended back into the 1220s. His family, already influential in Lothian by the middle of the twelfth century, had extended their landed interest into Angus and the Mearns early in the reign of William the Lion.¹³¹ In the mid 1170s, Philip's grandfather, Geoffrey I de Melville, served as a justiciar, probably in Lothian.¹³² By 1228, Philip was sheriff of Aberdeen,¹³³ a position that demonstrates his already established status as a significant landholder within the region. Certainly, neither Mowat nor Melville possessed the status of a Walter Olifard or Walter fitz Alan, the holders of the justiciarates of Lothian and Scotia down to 1241, but they cannot be dismissed as nonentities. Their political connections, certainly, may have helped to secure their appointment as co-justiciars of Scotia following Walter fitz Alan's death early in 1241.¹³⁴ As joint holders of the office, they brought a collective administrative and legal experience that extended back over a decade and both men enjoyed personal and political connections with the major noble groupings in the kingdom. It is unlikely that there is any implication of second-rate quality in the appointment of two men to exercise a role fulfilled previously by one. This decision may rather have been an experiment or conscious administrative reform instituted by Alexander in recognition of the growing burden of responsibility that the justiciarate carried and the

¹²⁸ Young, *Comyns*, 45.

¹²⁹ Young, *Comyns*, 47.

¹³⁰ Robert Mowat was sheriff of Forfar by January 1241 (*Coupar Angus Chrs*, no. xlv). Significantly, all nine of his surviving attestations of Alexander II charters, spanning the period 25 January 1241 to 7 July 1247, occurred within Angus, eight at Forfar and one at Arbroath.

¹³¹ *RRS*, ii, 17.

¹³² *Ibid.*, 6, 17, no. 192.

¹³³ *Holyrood Liber*, no. 71.

¹³⁴ Mowat was still simply sheriff of Forfar on 25 January 1241 and first appears as justiciar on 18 April: *Coupar Angus Chrs.*, nos xlv and xlvii.

increasing formalisation of the justiciary courts that became more evident in the following reign.¹³⁵

The political connections that Alexander may have hoped would strengthen the position of his new justiciars appear instead to have proved to be their undoing. There is no sign that either man took any active steps to preserve the peace during the early stages of the crisis when the young Comyns were harrying Walter Bisset's lands. Indeed, it was the king's personal intervention that was required before measures were put in place to provide a degree of protection for Bisset from his enemies, it being on Alexander's instructions that the army of Mar was gathered to escort Bisset south. Both justiciars were present at Forfar on 4 August 1242 for the first stage of the court action against the accused man,¹³⁶ but that is the only evidence for their performance of any active role in the events of 1242. Perhaps significantly, it was also the last time that they appear in any surviving document as holders of the justiciarate.

The replacement for Melville and Mowat, Alan Durward, is one of the most controversial figures of the mid thirteenth century on account of his role in the minority of Alexander III. He has been described as 'a man of consuming ambition' who 'had no love for the Comyns',¹³⁷ the implication being that Alexander II had turned to him as an individual untainted by association with the family that had dictated the course of events in 1242. Certainly, Durward had clashed, on both occasions unsuccessfully, with the Comyns and their allies in relation to his claims to both the earldoms of Atholl and Mar, and he was a neighbour and political associate of the Bissets in Mar and in western Moray, but he was also a man who held significant landed power and had a long experience in administration.¹³⁸ Alexander may indeed have been manipulating the partisan politics of his nobility to ensure that there was no repeat of the flouting of royal wishes in the Bisset affair, but he was also selecting an individual with the status and experience necessary to restore a secure royal grip on the administration of justice. Certainly, Durward was an ambitious man and may have been embittered towards the Comyns as a consequence of his failure to secure entry to the top

¹³⁵ Duncan, *Making of the Kingdom*, 596.

¹³⁶ *Ayr Friars Chrs.*, no. 1.

¹³⁷ Duncan, *Making of the Kingdom*, 546.

¹³⁸ Hammond, 'Durward family', 123, 124–30; Oram, 'Mar', 54–8, 61–2.

flight of the nobility which recognition of his claims to Atholl or Mar would have brought. But, more importantly for Alexander, he was clearly a safe and trustworthy pair of hands in whom to entrust the justiciarate. His closeness to the king is underscored by his marriage to Alexander's bastard daughter, Margery.¹³⁹ Although the date of this marriage is unknown, its significance should not be ignored. Durward, as Alexander's son-in-law, enjoyed a personal attachment to the royal family that gave substance to his status as justiciar and which entrenched his political influence in the kingdom. The appointment appears to have been a success, Durward holding the office into the minority of Alexander III through a period which, although tranquil, was not without its domestic political tensions.

Mastery of Mainland Scotland

Despite the limited success of the war with England in 1216, Alexander emerged from the peace negotiations with his prestige significantly enhanced. The authority of the crown was undoubtedly greater than at any time since 1174 and Alexander now revealed a ruthless determination to capitalise on that position and establish his unchallenged supremacy within both mainland Scotland and the Isles. Consequently, he threw himself into the task of entrenching the royal authority that his ageing father had so often struggled to impose over those portions of the kingdom that were far from any of the established centres of royal power. This policy was not just a question of flexing his muscles on military campaigns against fractious would-be kings in the north and west, but involved also a series of political settlements that enabled him to advance royal interests within the Gaelic heartland of the kingdom. For example, long-running succession disputes to key earldoms and lordships, such as the rival claims to the earldoms of Atholl and Mar, were settled with firmness and justice,¹⁴⁰ but it was management of the volatile politics of the west Highlands and Hebrides that revealed his mature diplomatic skills and the single-minded ruthlessness with which he would carry forward his determination to be the sole royal power within the geographical confines of Scotland.

¹³⁹ Young, *Comyns*, 48.

¹⁴⁰ See, for example, Oram, 'Mar', 46–66.

The Highland warfare that had proven near endemic in the latter years of his father's reign burst into fresh life in the 1220s. On this occasion, however, it appears that it was Alexander who was the principal aggressor and, despite some setbacks over the following decade, it was quickly apparent that the initiative now lay with the Scottish crown. In early 1221, Alexander conducted a campaign in the Highlands from a base at Inverness against one Domnall mac Niall, a man whose name might suggest a connection with the Ulster Uí Neill or with one of the emerging militarised kindreds of the Outer Isles. The location of this operation is not identified, but the fact that the king returned to Perth in March 1221 apparently direct from Inverness¹⁴¹ might imply actions in Strathspey and the Great Glen area that resulted in the establishment of the Comyns in Badenoch and Lochaber and the planting of new lordships at Stratherrick, Boleskine and Abertarff,¹⁴² rather than further west in the Hebrides. This campaign represented only an opening round in a protracted conflict, the detail of which remains sketchy in the extreme. Although the contemporary Melrose chronicle contains no reference to subsequent actions, Fordun records a naval campaign against Argyll that was mounted apparently in the weeks following Alexander's marriage at York in June 1221.¹⁴³ Fordun's narrative suggests that this expedition was a comparative failure, the royal fleet being dispersed by storms, and the king was obliged to mount a follow-up naval campaign in the west in 1222. As Noel Murray discusses,¹⁴⁴ this probably targeted the troublesome meic Ruairidh kindred, descendants of Somairle, the twelfth-century ruler of Argyll, who had provided the meic Uilleim with military aid.¹⁴⁵ Although there is unequivocal evidence for major naval operations in the West in 1221–22,¹⁴⁶ it is difficult to provide a time frame for Alexander's active involvement in a fleet-based campaign in either year. In autumn 1222, when Alexander was at Jedburgh preparing to go on pilgrimage to Canterbury, he

¹⁴¹ *APS*, i, 398, c.II.

¹⁴² A. Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997), 38–42.

¹⁴³ *Chron. Fordun*, s.a. 1221; Duncan, *Making of the Kingdom*, 528.

¹⁴⁴ See below, 285–305.

¹⁴⁵ Oram, *Galloway*, 122.

¹⁴⁶ *ALC*, i, 264; *Newbattle Registrum*, no. 27 shows Thomas of Galloway, earl of Atholl, and his some of his vassals in Cunninghamame, possibly in connection with the campaign.

received word that the men of Caithness had murdered their bishop, Adam, a former abbot of Melrose who had been planted in the see by King William in 1213.¹⁴⁷ Not only was this murder and act of incredible sacrilege but it represented also a challenge to Alexander's authority and breach of the king's peace. Although, *prima facie*, the consequence of Adam's heavy-handed efforts to impose ecclesiastical rights to teind throughout his diocese, Alexander was probably right to see a deeper political motivation behind the bishop's murder. John, earl of Caithness and Orkney, the son of Earl Harald Maddadson and his second wife Gormflaith, either the daughter of Máel Coluim mac Aeda, former earl of Ross or of Máel Coluim, bastard son of Alexander I, had reportedly stood by and refused to intervene to save the bishop.¹⁴⁸ Earl John had good cause to resent the Scottish kings' intrusion of their power into his northern mainland earldom. According to Fordun, during his last expedition to Moray in August 1214, King William had reached a settlement with John and taken his daughter south with him as a hostage for his good behaviour.¹⁴⁹ This agreement evidently held, for there is no sign of John's involvement in the meic Uilleim attempt of winter 1214–5. The political climate of the 1220s, however, was wholly different, and Alexander's aggressive moves against Domnall mac Niall and the meic Ruairidh, and his promotion of Ferchar mac an t-sacairt in Ross, where John may have harboured ambitions to obtain the meic Aeda heritage, may have provided the catalyst for open resistance. It was a gross miscalculation, for Alexander, benefiting from the recent extension of Scottish power into south-east Sutherland through the establishment of a lordship based on Skelbo for a branch of the influential de Moravia family, abandoned his planned pilgrimage and marched north. Gathering an army on route, he wreaked a savage justice on the perpetrators of this sacrilege in an unequivocal demonstration that the king's peace should run undisturbed and the royal will be unchallenged throughout his kingdom,¹⁵⁰ and forced John's grovelling submission. Although Walter Bower's fifteenth-century account

¹⁴⁷ *Chron. Melrose*, s.a. 1222; *Annals of Dunstaple*, s.a. 1222; Watt, *Fasti*, 58.

¹⁴⁸ *Chron. Bower*, v, 115; B.E. Crawford, 'The Earldom of Caithness and the Kingdom of Scotland, 1150–1266', in K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), 25–43 at 29–30.

¹⁴⁹ *Chron. Fordun*, 274.

¹⁵⁰ *Chron. Melrose*, s.a. 1222.

of these events describes Alexander's seizure of a large part of the earl's lands and property as a punishment for his failure to prevent the bishop's murder,¹⁵¹ it bears all the hallmarks of forfeiture for rebellion. After 1222, John's power in the north was severely limited and Caithness played no subsequent part in the political disturbances of the 1220s. Through rapid and effective action, Alexander had defused an incipient crisis: the contrast with William's reign could not have been stronger. It was not quite the final fling for Caithness's resistance to the inexorable spread of Scottish power, but John cannot have had any question in his mind of the unshakeable grip over his mainland domain now exercised by the Scottish king.¹⁵²

Alexander's control of Caithness gave him a level of stability in the north of his kingdom that his father and great-grandfather had been unable to secure on any permanent basis. David I had sought to control the earldom of Orkney-Caithness in order to provide security against dynastic challenges for his throne based in the central and west Highlands, and also to contain the still potent threat to his kingdom and his ambitions in the western sea-ways posed by Orkney's Norwegian overlords.¹⁵³ Similar motives had driven William the Lion's policies towards Earl John's father, Earl Harald Maddadsson, down to the early 1200s, but Harald's dynastic intriguing in other directions had succeeded in drawing the unwelcome attentions of his other overlord, King Sverre of Norway.¹⁵⁴ Harald's active military support for a bid to oust Sverre rebounded spectacularly in 1194 when the Norwegian king defeated and slew his rival for the throne, killing also most of Harald's men. Faced with the invasion of Orkney by Sverre, Harald had hurried to Bergen and thrown himself on the king's mercy. Humiliating terms, which saw Shetland brought under the direct control of the Norwegian crown, and heavy financial burdens placed on Orkney, were imposed. Harald's submission brought Norwegian influence in Orkney to a level higher than that ever exer-

¹⁵¹ *Chron. Bower*, v, 115.

¹⁵² For a discussion of the role of the bishops of Caithness, see B.E. Crawford, 'Norse Earls and Scottish Bishops in Caithness. A Clash of Cultures', in C. Batey, J. Jesch and C. Morris, *The Viking Age in Caithness, Orkney and the North Atlantic* (Edinburgh, 1993), 129–47.

¹⁵³ R.D. Oram, 'David I and the Scottish conquest and colonisation of Moray', *Northern Scotland*, 19 (1999), 1–19; F. Pedersen, A.D. Forte, R.D. Oram, *Viking Empires* (forthcoming Cambridge, 2004).

¹⁵⁴ Pedersen, Forte and Oram, *Viking Empires* (forthcoming).

cised by Sverre's predecessors and Norwegian crown authority there grew stronger yet through the 13th century.¹⁵⁵

After Harald's death in 1206, the kings of Norway demanded regular and public demonstrations of John's subservience to the Norwegian crown, especially after the death of his brother and co-earl, David, in 1214. It was this resurgence of Norwegian power in Orkney that had given William the Lion so much cause for concern in the last years of his life and, although William had forced John's recognition of his overlordship of Caithness in 1214, Orkney was beyond his reach. William's death the same year may have taken the impetus out of Scottish initiatives in the northern mainland, for Alexander was clearly more concerned with his policy towards England. This diversion of his attention from Caithness and Orkney may have encouraged Earl John to think along the exalted political lines of his father and Scottish influence in his earldoms may have been eroded significantly as a result. John's miscalculation in 1222, however, afforded Alexander the opportunity to re-assert that influence forcefully and, at the same time, serve notice to the Norwegians of a revival in Scottish power in the north.

These successive humiliations of John by his Norwegian and Scottish overlords probably contributed significantly to his downfall. There were still men in the northern earldoms who looked to alternative branches of the ruling dynasty, mainly to the now distantly related representatives of the line descended from the early 12th-century Earl Erlend II, to restore them to their former freedoms from foreign domination. The Erlend line's claims had fallen to one Snaekoll Gunnison, great-grandson of Earl Rognvald Kolsson, who demanded restoration of his ancestral estates and who may have aspired to a share in the earldom title itself. Allied with the king of Norway's representative in Orkney, Hanef Ungi, Snaekoll built up a substantial following in the islands and in 1230 Hanef and his men murdered Earl John at Thurso in Caithness. Pursued back to Orkney by John's vengeful kin, Hanef and Snaekoll took refuge in Cubbie Roo's Castle on the island of Wyre and successfully resisted all attempts to dislodge them.¹⁵⁶ The stand-off on Wyre was only ended by an agreement by both sides to submit themselves to the judgement of King

¹⁵⁵ Thomson, *History of Orkney*, 73–4.

¹⁵⁶ Anderson, *Early Sources*, ii, 480–3.

Håkon IV in Norway, but Hanef used his Norwegian connections to escape justice. Further disaster followed, for the vessel carrying the leading members of the murdered earl's kin and the principal landholding families of Orkney sank on the return voyage, removing at a stroke the political leadership of the earldom. It was a cataclysm which later Orkney tradition saw as the source of all the islands' subsequent misfortunes.¹⁵⁷

For Alexander, John's death was in many ways an almost perfect solution to what had been a persistent political problem for the Scots; the earl's divided loyalties to Scotland and Norway. After 1222, John had found himself in an invidious position for, whilst he had given explicit oaths of submission to Alexander in respect of Caithness, he was equally rigidly bound to Norway for Orkney. Norwegian power within Orkney, from where John drew most of his revenue and where he was most regularly based, was such that in 1230 when Håkon IV of Norway sent a fleet west to support Óláfr Godredsson of Mann against Alan of Galloway (see below), the earl had added twenty of his own galleys to the force.¹⁵⁸ What further involvement in this conflict may have been planned by John we do not know, but his murder allowed Alexander to concentrate on the more pressing threats from the Norwegian fleet in the Isles and from the meic Uilleim rising of the same year in Ross. Once those challenges had been overcome, the king was free to impose a lasting settlement on Caithness. The mechanism used was not the military solution attempted by successive Scottish kings since the early 12th century but a dynastic one based on strict rules of inheritance in accordance with 'feudal' law. Although the line of earls continued, evidently represented by the heirs of one of John's sisters or daughters who had been married into the family of the Scottish earls of Angus, they displayed almost purely Scottish preferences and appear to have paid little more than lip-service to their Norwegian overlord.¹⁵⁹

The final phases of the Scottish-Norwegian contest for influence in Caithness were played out in the midst of a related crisis in the Western Isles. Throughout the 12th and earlier 13th century, the

¹⁵⁷ Anderson, *Early Sources*, ii, 483–5. Thomson, *History of Orkney*, 81–2.

¹⁵⁸ Anderson, *Early Sources*, ii, 474.

¹⁵⁹ For discussion of this period see B.E. Crawford, 'The earldom of Caithness and the kingdom of Scotland, 1150–1266', in K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985).

Scots had gradually extended their influence into the maritime zone that had been ceded to the Norwegians in the late 1090s. Progressive extensions westward of crown authority, into the area of what was by the later 12th century largely nominal Norwegian sovereignty in the Isles, were driven by understanding that it was from this quarter that the Canmore kings' meic Áeda, meic Alasdair and meic Uilleim rivals had derived much of their mercenary aid. Alexander, furthermore, wished to check the influence of the Uí Neill of west Ulster, also backers of the meic Uilleim, who had been re-asserting Irish power in the Hebrides. To this end, he encouraged Alan of Galloway's efforts to secure dominion in Mann for his bastard son, cynically using his constable's ambitions to bring the crisis in the west to a head. Alexander, however, may have got more of a reaction than he had bargained for, as Alan's chief opponent, Óláfr Godredsson, king of Mann, succeeded in securing military aid from his Norwegian overlord. Full-scale war with Norway was narrowly averted after one destructive Norse campaign in the Firth of Clyde area in 1231¹⁶⁰ and Alan's schemes were halted abruptly, but not before the king had achieved his goal. In 1230, in a further rising that must be viewed against this wider backdrop of disturbance in the west, the meic Uilleim finally had been defeated and eliminated. In a pitiless display of royal justice, Alexander ordered the brutal 'execution' of the last meic Uilleim, an un-named infant girl whose brain was dashed out against the market cross shaft at Forfar.¹⁶¹ In political terms it was a pointless act, for the meic Uilleim family's claim to the throne had died with its last male representative, who had constituted the third generation since the kingship had been held by a member of their lineage. Under the Gaelic rules of inheritance which the meic Uilleim had striven to effect in their favour, the child's royal status was 'time expired'. Nevertheless, Alexander II was clearly not a man to leave anything to chance and all possibility of a future husband or son of the mac Uilleim heiress reviving the family's challenge was eradicated.

In 1235 it was the turn of Galloway whose native lord, Alan, had died the previous year leaving no legitimate male heir but a bastard son and three legitimate daughters (see above 25–6). Determined to

¹⁶⁰ *Chron. Mann*, s.a. 1230–31; Oram, *Galloway*, 128–32.

¹⁶¹ *Chron. Lanercost*, s.a. 1230.

end the ambiguity of its relationship with the Scottish crown, Alexander imposed a partition of the lordship between the daughters of Alan, whose husbands were married to dependable Anglo-Scottish barons, against the wishes of the Gaelic nobles, who wanted to preserve Galloway's integrity. The king's inflexibility on this issue provoked a rising in support of Alan's bastard son, Thomas, but this was crushed bloodily by a royal army.¹⁶² By 1236, Alexander was more surely master of the Scottish mainland than any of his predecessors.

The 1240s saw Alexander's authority within Scotland reach its zenith. On the mainland, only the meic Dubhghall lordship of Lorn still had an ambiguous relationship with the crown, and beyond it beckoned the Hebrides. For Alexander, the Isles constituted both unfinished business and a continuing challenge, for so long as they remained under even nominal Norwegian sovereignty they posed a potential threat to the security of his kingdom. The perennial instability of the region had long provided a breeding-ground for challengers to Alexander's segment of the royal dynasty and, although the meic Uilleim had been eliminated, the region remained a potential source of succour to disaffected elements within mainland Scotland. In 1244, Alexander offered to buy the Isles from Norway, an offer rejected out of hand by the Norwegian king, Håkon IV, who was steadily reasserting his own authority after the ending of the long civil wars that had so debilitated his kingdom. Håkon similarly dismissed subsequent offers.¹⁶³ As Noel Murray explores, it was suspicions that the meic Dubhghall, who were vassals of both kings, were also involved in negotiations with Henry III, that prompted Alexander to end the ambiguity for once and for all. In the summer of 1249 a royal fleet set out from the Clyde ports and cruised the waters of the Inner Hebrides. In early July, it anchored off the island of Kerrera in Oban Bay, poised to strike against the heart of meic Dubhghall power at nearby Dunstaffange Castle.¹⁶⁴ On 8 July, at the height of his power, Alexander II died suddenly in his tent on Kerrera, struck down, it was rumoured, by the power of St Columba, protector of the Isles.

¹⁶² Oram, *Galloway*, 141–6.

¹⁶³ Anderson, *ESSC*, ii, 539–40.

¹⁶⁴ *Chron. Melrose*, s.a. 1249; *Chron. Bower*, v, 191.

The king's death brought the campaign to an abrupt conclusion with all its objectives unrealised. While arrangements were set in place for the transportation of Alexander's body to Melrose for burial,¹⁶⁵ the political elite scrambled and jostled to establish their positions in control of the child Alexander III's administration. Indeed, the old king's corpse was all but abandoned as his former lieutenants raced to Scone for the inauguration of the boy king. From the first, it was clear that the political stability that Alexander had imposed would be subjected to great stress as the political community of the kingdom began to manoeuvre for power. With his heir a child of eight, it remained to be seen if the realm that Alexander II had welded together through blood and violence would remain intact through the inevitable long minority that would follow.

Achievement and Reputation

King Alexander II emerges from the records as a highly complex character. His ambition was matched by energy, ability and ruthlessness that was closer to that of his great-grandfather than his father. Unlike his father, too, he possessed a pragmatic realism that perhaps saved him from the humiliation of a second Falaise for Scotland. In his religion, he was the greatest patron and founder of monasteries since David I. He supported conventional monasticism, co-founding a Cistercian abbey with his mother at Balmerino in Fife, and showing Melrose particular favour, while his own special foundation was Pluscarden in Moray,¹⁶⁶ a colony of the new and especially austere Valliscaulian order of monks. Pluscarden was founded c.1230–1, perhaps as a thanks offering for his final elimination of the meic Uilleim and as a means of salving his conscience for the brutality with which that end was achieved. He was also, however, a supporter of the new orders of friars, especially the Dominicans,¹⁶⁷

¹⁶⁵ *Chron. Melrose*, s.a. 1249.

¹⁶⁶ For Balmerino, see *Balmerino Liber*, nos 3, 4; for Melrose, see *Melrose Liber*, i, nos 173–6, 183–5, 198, 202–203, 205, 207, 228–9, 231, 237, 239–41, 243, 245, 248, 254–5, 257–9, 264–6, 270, 278; for Pluscarden see *Chron. Bower*, v, 145; see S.R. Macphail, *History of the Religious House of Pluscardyn* (Edinburgh, 1881).

¹⁶⁷ *Chron. Melrose*, s.a. 1230; *Chron. Bower*, v, 145.

whom he invited to Scotland in 1230 and provided with their first convent at Edinburgh. In doing so he was signalling an awareness of and support for the new and still controversial spiritual developments within the Church, something that suggests that his religious patronage went beyond the conventional or traditional pious behaviour of the ruling elites. But, while he clearly supported the processes of internal reform within the regular clergy, he routinely exploited his influence over the Church to provide additional support for his political authority. For example, a monk from Melrose, his favoured monastery, was appointed bishop in the politically sensitive diocese of Whithorn,¹⁶⁸ and Bishop Clement of Dunblane, a former Dominican friar, whose order had received its introduction to Scotland through Alexander's patronage, held a prominent place in royal policy-making in Argyll, where the appointment of a new bishop in 1248 also formed part of his assertion of royal authority,¹⁶⁹ and in Galloway the native heads of the local Cistercian houses were deposed in favour of Melrose monks after Alexander suppressed the 1235 rebellion there.¹⁷⁰ For Alexander, religious patronage and personal piety may have been investments to be cashed in for political considerations.

Royal control over the Church was just one manifestation of Alexander II's firm grip on the political life of his kingdom. The political elite, too, was tightly controlled through a mixture of coercion and patronage. For the most part, it is evident that the king was able to manage his nobility and it is striking how successful he was in resolving a series of long-standing disputes within their ranks. In particular, the succession disputes to the earldoms of Mar, Menteith and Atholl were settled, and the thorny question of the Galloway inheritance resolved—albeit largely through military means—but what is perhaps most clear in these cases was the king's determination to establish the system of primogeniture. Certainly, this issue was of central importance to Alexander personally in the early part of his reign, where his own position had been challenged regularly by an alternative—and senior—segment of the royal house. It is no coin-

¹⁶⁸ Oram, 'Prayer, Property and Profit', 84.

¹⁶⁹ Watt, *Fasti*, 26.

¹⁷⁰ Oram, *Galloway*, 185. The deposition of the abbots of Dundrennan and Glenluce appears to have been the consequence of irregularities identified by the Cistercian Chapter General, but the timing suggests that there may have been a more specifically political point behind the acts.

cidence that it was during his reign that the charge of bastardy was deployed as a weapon against his rivals, effectively depriving them of the lever afforded by primogeniture. Where the king led his nobles quickly followed, and illegitimacy was to become a major issue in succession disputes.

Amongst the many contradictory images produced by the traditionally historiography of the reign of Alexander II are those of the king as the authoritarian master of his kingdom yet little more than a powerless bystander, unable to control the violent impulses of the partisan divisions of his nobility. The former image can be seen most clearly in his handling of the succession crisis in Galloway following the death of Alan in 1234, where the crown's interests were given primacy over local sentiments. There, Alexander quite clearly dictated the agenda and, despite the brief paroxysm of resistance, succeeded in imposing his decision swiftly and effectively. This confident and controlled image contrasts sharply with that which emerges in the course of the 1242 Bisset crisis, where Alexander failed to impose his authority in an episode which possibly saw even the crown's most senior judicial officers north of the Forth take a stance contrary to the king's wishes. Alexander, in 1242, was faced with the hostility of entrenched magnate interests who were able to marshal substantial opposition to royal policy. While the king was able to eventually take control of the pace at which proceedings against the Bissets were taken, it is clear that he was unable to shelter them entirely from the nobility and was still forced into a judgement against them to placate the Comyns and Dunbars. It is equally clear that after 1242 Alexander was determined to re-assert the tight grip on domestic politics that he had held down to the eruption of the crisis, and he moved swiftly to establish men more clearly aligned with royal interests in the key judicial offices. While he may have been aided in this by the rapid emergence of an external threat in 1243, which swung the nobility back into line behind him, it is also probable that the apparent expulsion of the source of irritation, the upstart and ambitious Bissets, removed the factor that united so many powerful noble interests. While the king may have been angered, or even shocked, by the disobedience of his vassals in these events, the clearest consequence of them was determination to regain the political initiative as quickly as possible.

If 1242 can be presented as a crisis year for Alexander II, its stark prominence in the history of his reign is surely a sign of the overall

stability of the relationship between the king and his nobles. It is the one event where the king mismanaged and misjudged the mood of his nobles in what seems otherwise to have been a career of skilful political management. Alexander failed to carry noble opinion with him on this one occasion. Otherwise, magnate ambitions were harnessed to the needs of the crown, and this can be seen most clearly in the military operations that punctuated his reign. Support for Alexander's military objectives brought tangible rewards in the form of land and office, illustrated most spectacularly by the rise of Ferchar mac an t-saccairt from obscurity to the earldom of Ross.¹⁷¹ This co-operation between crown and nobility, clear testimony of Alexander's rapport with his lords, served to underpin the consolidation of royal authority in the northern and western mainland, regions where control had been intermittent during his father's reign.

Perhaps this consolidation should be seen as the chief characteristic of Alexander II's reign? While warfare was a recurrent feature of his career—he started and ended his reign at war—it represented but one factor in his effective policy of state-building. Chronicle emphasis on episodes of spectacular violence obscure the fact that they were short-lived, usually geographically restricted and remote, and caused little disturbance to the life of the kingdom at large. From the time of John's brief foray into Lothian in 1216 until the end of the reign—and beyond—the political and economic heart of the kingdom was free from major disturbance. The consequence was a period of sustained economic development, in some ways the more substantial 'Golden Age' of thirteenth century Scotland than the mythical achievements of his son. In the ecclesiastical and secular architecture of the time, we can see evidence for widespread programmes of re-building and extension at both major and minor monasteries, cathedrals and parish churches, and in the castles of the nobility.¹⁷² Building projects on this scale are symbols of peace and stability, and the major programmes of work commenced at the likes of Dornoch, Beaully, Fortrose, Elgin and Pluscarden, in the heart of what had been centres of challenge to Alexander and his father down to the late 1220s, underscore the transformation that

¹⁷¹ Grant, 'The Province of Ross', in Cowan and McDonald, *Alba*, 117–123.

¹⁷² R. Fawcett, *Scottish Abbeys and Priories* (London, 1994), 59–72; R. Fawcett, *Scottish Cathedrals* (London, 1997), chapter 2.

had been achieved. To war-fixated historians, this evidence for political consolidation and integration and sustained economic development has been of significantly less interest than the episodic bursts of mayhem that punctuate Alexander's reign. Nevertheless, they are the more accurate reflection of his achievement and mark the point at which the kingdom of the Scots entered its political adulthood.

‘A GREAT PRINCE, AND VERY GREEDY OF THIS
WORLD’S HONOUR’
THE HISTORIOGRAPHY OF ALEXANDER II

Norman H. Reid

Walter Bower, reporting the death of Alexander II, through illness, on the island of Kerrera at the beginning of July 1249, describes the ‘renowned’ king as one who ‘always hated wrong-doing and loved equity and justice’. These are, of course, the virtues demanded of any medieval king. Similarly, the eulogy with which Bower commends the king to his everlasting rest is both brief and formulaic:

Like the morning star he grew into the light and sunshine until the fullness of day. As a follower of this way of life he proved to be a source of strength to his fellow-soldiers, appreciative to religious, humble before priests, modest to his people, compassionate to the unfortunate, generous to those in need, kindly with horses, sober with the arrogant, alarming to malefactors and merciful towards the defeated. There was in him a wonderful zeal for the increase of religion, seen especially in his concern with building churches for the Friars Preacher. There was with him no regard for persons, but he judged the poor justly and brought forward arguments in equity on behalf of the meek of the land. This prince was a most upright character and the boldest of knights, who knew how to weep with those who were weeping and to rejoice with those rejoicing; he was nevertheless a comforter of those who were mourning, a supporter of orphans, protector of young men in wardship, most conscientious in hearing complaints personally, especially those of widows and the poor, and very fair in disposing of them, so that one can apply to him this quotation: “Because he stood under the judgement and in fear of God, the Lord has made his people respect him, and he pleases the God of Israel in his goodness and his enthusiasm of spirit.”

The eulogy ends with a verse emphasising his virtue (‘shield of the church, giver of peace to his people, guide to the wretched, a king up-right, strict, wise, prudent, honest, a pious king, a brave king, a most virtuous king, a wealthy king . . .’).¹ As Bower’s editor notes,

¹ *Chron. Bower*, v, 190–193.

'Bower's encomium of Alexander II probably reflects his own ideal of kingship'.²

It is noticeable that the encomium actually makes virtually no reference to Alexander's conduct of his reign, as reported by Bower throughout Book IX of the *Scotichronicon*. (The specific reference to his founding of houses for the Dominican friars is mentioned only once in the preceding text regarding the reign.³ The Dominicans do seem to have been favoured by him, with up to nine urban foundations during the reign (and a couple more, of Franciscans); the promotion to the bishopric of Dunblane of perhaps the first Dominican missionary to Scotland, Clement, only three years after their arrival in the kingdom, must be a further indication of royal favour. This apparent generosity, however, is not matched in the king's attitude to the monastic orders. Alexander himself seems to have been directly involved in the foundation of only two houses, one of them (Balmerino) for the Cistercians, and the other (Pluscarden) for the Valliscaulians, an order not previously represented in Scotland. The other thirteen houses which were (or may have been) founded in Scotland during the reign all seem to have been private foundations.⁴ He was no particular friend to the established major houses in Scotland, although Melrose was to be favoured as his chosen place of burial.

The contrast with Bower's treatment of Alexander III is striking.⁵ Although Book X, which covers the reign of Alexander III, is shorter than Book IX by almost 25% (despite the reigns being almost exactly the same length), and although the themes of Scottish politics discussed by Bower were quite similar—primarily the consolidation of royal power in the outlying areas of the kingdom, and the successful conduct of Anglo-Scottish relations—the encomium for Alexander III⁶

² *Ibid.*, 287.

³ *Ibid.*, 144–5.

⁴ Perhaps Trinitarian House in Aberdeen; Ardochattan, Argyll-Valliscaulian, 1230 (Duncan MacDougall); Cistercian House at Balmerino, 1227 (Royal); Beaulieu, Valliscaulian, 1230 (John Bisset); perhaps Trinitarian at Berwick; Blantyre, Augustinian, 1239 × 1248; Culross, Cistercian, 1218 (earl of Fife); Deer, Cistercian, 1219 (Earl of Buchan); perhaps Elcho, Cistercian Nuns; Fearn, Premonstratensian, 1220s or 1230s (Earl of Ross); possibly Holywood (Dumfries & Gall), Premonstratensian; Inchmahome, Augustinian, 1238 (Earl of Menteith); possibly Monymusk, Augustinian (Durward?); Pluscarden, Valliscaulian, 1230 (Royal); Tongland, Premonstratensian, 1218 (Alan of Galloway).

⁵ See N. Reid, 'Alexander III: The Historiography of a Myth', in Reid, *Alexander III*, 181–213.

⁶ *Chron. Bower*, v, 420–29.

is far longer than that for his father, and is personal in its reporting of the king's attributes and relationships with his people. Without doubt reflecting the kingly ideal, it is nonetheless much more specifically related to the individual and (at least by implication, if not by specific reference) to the primary events which have been reported throughout his treatment of the reign.

In terms of length, the much longer reign of Alexander II's father, William, is given the same space by Bower as Alexander's own reign. But again, whilst the eulogy is surprisingly short for a king for whom Bower seems to imply throughout the book that he had considerable admiration, it is quite specifically related to the king and his activities. (He died, 'in a spirit of perfect devotion and inner repentance and after making a complete confession and receiving the other sacraments as a catholic, having successfully stabilized his kingdom in the peaceful state which he had desired'.)⁷

Why, then, is Bower so non-committal about Alexander II? He implies no criticism of the king, but his praise is muted, unspecific and formulaic. It is noteworthy that although his treatment of the period covered by the reign is lengthy, in fact considerably less than half relates to events in or closely concerning Scotland or Alexander II himself. Most of the book is taken up with events in England, France and the Holy Land, and much of what does relate to Scotland is concerned with the minutiae of specific religious houses, and Bower's penchant for telling moral tales. The major domestic events of the reign—the involvement of Alexander II with the troubled relationship of the English crown and nobility, the quelling of rebellions against royal authority in Moray and Galloway, continuing attempts to win the western seaboard, and tense relations with the papacy—receive quite scant treatment. It seems that events elsewhere—in England and other parts of Europe—provide more fuel for Bower's moralistic intentions.

This fact, though, is curious, since the 'traditional' picture of the reigns of both Alexander II and Alexander III is of similar themes, and continuity of purpose and policy. In many respects, the actual events of the reigns are not dissimilar. Why, then, did Bower not make use of the opportunity to use both kings in the same way, and to hold up the dynasty as an example of kingly virtue, as he did, quite overtly, with Alexander III?

⁷ *Chron. Bower*, iv, 474–475.

A survey of the historiography of Alexander II may serve to demonstrate whether Bower's attitude follows, or establishes, a trend. The early king lists generally have little to say about the kings, other than noting their reign lengths, death and/or burial places. It is a curious fact, however, that one of the two surviving texts of 'Kinglist F',⁸ a document ultimately derived from the lost *Registrum* of St Andrews, unusually applies an adjective to Alexander II—the only such description offered in the entire list. The word used is *mitissimus*, meaning mild, gentle or placid, or perhaps even harmless.⁹ It is a word which is picked up by Fordun, who used a version or ancestor of this list as a source.¹⁰

The more or less contemporary *Verse Chronicle* (used as a source by Bower, but not directly quoted on this occasion)¹¹ actually offers as much on Alexander II as any of his immediate predecessors, describing him as

a noble and pious man. He was a famed protector of the clergy, also lover of strict law, and generous giver . . . he lives without end: justly he has no end, since the honour of his uprightness lives in fame; by his good deeds it is preserved.

The *Verse Chronicle* ends, exhorting Alexander III to follow his father's acts.¹²

Bower, of course, had as his primary source the chronicle penned by John of Fordun in the previous century. Fordun's treatment of the reign of Alexander is little different. After an explanation of the hasty inauguration of Alexander II, and his father's funeral, Fordun describes the death of William's brother, Earl David, and offers a brief discourse on his offspring (who were, of course, to be crucial in the competition for the throne half a century later). A glance forward to the troubled reign of King John of England is followed by

⁸ So named by M.O. Anderson in *Kings and Kingship in Early Scotland*; see her analysis at 49ff, and the text at 269–278. The word also appears in "Kinglist G", another list from a common source.

⁹ Lewis & Short, *A Latin Dictionary* (Oxford, 1975), 1152.

¹⁰ Anderson, *Kings and Kingship*, 212–5.

¹¹ See *Chron. Bower*, v, note to ll. 41–48, 288, and the Anderson, *Kings and Kingship*, ref. given there; the text is in Skene, *Picts and Scots*, no. xxx, and at 182.

¹² Translation from Anderson, *ESSH*, ii, 559; note also Anderson's note, citing *Moray Registrum* no. 260, that Pope Innocent IV wrote of Alexander II as a defender of the church.

a very brief description of the 1215 rebellion in Moray, and of Alexander holding parliament at Edinburgh (from which some malcontents withdrew, for reasons unspecified). Thereafter, Fordun begins his treatment of the involvement of Alexander in English affairs. He seems a little apologetic for Alexander's involvement, claiming that he (along with Llewellyn of Wales) allied himself with the English barons, having been 'beset with prayers and promises'.¹³ The campaign of both kings in southern Scotland and northern England are described, with emphasis on the destruction of land and towns by both armies, as well as the Scots returning with 'plunder without end'.¹⁴ The invasion of Louis, the Dauphin, and Alexander's second invasion of England in the summer of 1216, are followed by a report of the death of King John, a further violent invasion by Alexander II (presumably taking advantage of the power vacuum in England following the death of the king), and the consequent interdict imposed on Scotland by the papal legate Guala. Negotiations followed, leading to agreement with the young King Henry III, Alexander's homage to him for his English lands, and thus absolution for Alexander II himself (and eventually, but not without difficulty, for the church and kingdom at large). The negotiations towards, and celebration of the marriage of Alexander II to Joan, sister of Henry II (1220–1221) are quickly followed by a description of the abortive expedition to the west in 1221, and another (reportedly more fruitful for the king) in 1222. The murder of the Bishop of Caithness in 1222 is reported somewhat ambiguously by Fordun. He certainly implies criticism of John, earl of Caithness for not attempting to save the bishop from his irate flock, and displays no pity for the earl in being deprived of lands for his inaction. The perpetrators of the deed, however, are not slated by Fordun, who simply states that they were 'kindled with fury' at the levying of 'tithes and other church rights'. Neither does he either praise or criticise the king's action in having the miscreants 'mangled in limb, and racked with many a torture'.¹⁵ The aftermath of the affair, however, left Fordun with a bad taste: having

¹³ *Chron. Fordun*, ii, 279; i, 283: 'pulsati quoque precibus et promissis'.

¹⁴ *Ibid.*

¹⁵ *Ibid.*, 285 (i, 289). Cf. *Orkneyinga Saga* (ed. J. Anderson, facsimile edition, Edinburgh 1975) 201, which describes Alexander becoming 'so enraged that the punishments inflicted by him . . . by mutilation and death, confiscation and outlawry from the land, are still in fresh memory'.

explained the 'truth' of the matter to the Pope, and received praise for the way it had been avenged, Alexander II then restored the forfeited lands to the earl, in return for a cash payment. 'There were indeed a great many, at that time, who, within themselves, did not think well of this proceeding, and suspected that our lord the king had been overreached in this matter by evil advisers.'¹⁶ The death of the Earl of Caithness in like manner to the bishop, some seven years later, Fordun claims, was suitable retribution for his crime.

The next episode describes the royal action in Galloway in 1235, again emphasising the punishment (being 'torn asunder by horses') meted out to some of the rebels, and the ravaging of the lands and churches of Galloway (and torture of clerics) by members of the king's army following the king's return to Edinburgh.¹⁷ Negotiations with Henry III (over the unspecified 'knotty business of the kingdoms'), were closely followed by the death of the Queen in 1238, and Alexander's remarriage, to Mary, daughter of Enguerrand de Coucy, and the birth, in 1241, of the future Alexander III. A threatened invasion in 1244 by Henry III (prompted by the building of Hermitage Castle) almost led to war, which was avoided only by the intervention of the Archbishop of York and others.

Fordun's treatment of the reign is rounded off by his description of Alexander leading his expedition to 'restore peace to the land of Argyll', where he fell sick, and, being taken to Kerrera, died there. His encomium for Alexander II reads as follows:

While he lived, he was a most gentle (*mitissimus*) prince towards his people, a father to the monks, the comforter of the needy, the helper of the fatherless, the pitiful hearer and most righteous judge of the widow and all who had a grievance, and, towards the church of Christ, a second Peter. These lines have been written on him:—In him

'The church a buckler had, the people peace,
The wretch a leader—second of his name;
While thrice ten years and five his reign enclose.
Kerrera's Isle beheld his soul's release,
Blest fellowship with saints on high to claim;
His earthly bones lie buried at Melrose.'

He, also, together with his mother Ermengarde, founded and endowed the abbey of St Edward of Balmurinath. . . .¹⁸

¹⁶ *Ibid.*, 285 (i, 290).

¹⁷ *Ibid.*, 286 (i, 291).

¹⁸ *Ibid.*, 286 (i, 292–3).

Again, the encomium is formulaic, and relatively unenthusiastic. Indeed, it might almost be seen as mildly sarcastic: Fordun's description of the reign dwells on the warfare, excommunication, rebellion and vengeful, violent meting out of justice. There is little which seems to merit the description of a 'gentle, righteous judge'. His choice of the word *mitissimus*, apparently copied from his early kinglist source, and unusual in its application to any of the Scottish kings of this period, is difficult to understand in the context of the story he has just told, and emphasises the apparent discrepancy between his picture of the reign and the eulogy. Certainly, it follows the line of the *Verse Chronicle* in making him a defender of the church, but is surely divergent from it in describing him as either gentle or a 'pitiful hearer', as opposed to a 'lover of strict law'.

The *Chronicle of Melrose*, almost (if not absolutely) contemporary,¹⁹ is crucial, having been a major source for many other medieval histories, both English and Scottish. It quotes the *Verse Chronicle* noted above regarding Alexander's death, but offers much more detail about the reign in general. (The period of this reign merits close to double the wordage given to the reign of Alexander's much-admired father, William.) The accession, marriages and death of the 'peaceful' king, and the birth of Alexander III, are recorded in an insertion into the text at the year 1056.²⁰ A brief description of the Moray rebellion of 1214, considerable detail of the conflicts between crown and nobility (and war with France) in King John's England (and particularly of Alexander's involvement in them), the treatment of the rebellion in Galloway, as well as the minutiae of episcopal and monastic succession, etc., all merit attention. The balance of Melrose, however, is much like Bower: a considerable portion of it is given up to events which have little direct connection with Scotland or Alexander's rule. It is quite clear that Melrose is one of the major sources used by Bower: and the story as told there is hardly changed by him.²¹

The *Liber Extravagans*,²² an interpolation by Bower into *Scotichronicon* using a source composed (for the Scottish material) between 1296

¹⁹ See the bibliographical note regarding Melrose in *ESSH*, i, xliii–xliv.

²⁰ See Stevenson's edition, 53. Alexander's death is also noted, at more length, correctly under 1249, at *ibid.*, 177–8.

²¹ See Barrell, 159, for the Melrose Chronicle's hostile attitude to the legacy of Gualo, and Bower's following of that tack.

²² See *Chron. Bower*, ix, 59–103 for both analysis and text.

and 1306, is again strangely silent on the subject of Alexander II. Some few details are given of earlier kings (and others), and Alexander III is treated to a eulogy. Alexander II, however, is offered only a bare annal-style entry: 'The second Alexander, the son of King William, ruled for thirty-five years. This Alexander is said to have fathered another [Alexander] . . .'

Just as Fordun, Melrose, and other early writings were used by Bower, it is, of course, certain that Bower's work itself became the primary source for much of what followed. Even within the medieval tradition, the *Chronicle of Pluscarden*, the *Extracta e Variis Cronicis Scotiae*,²³ and the verse chronicle by Andrew Wyntoun, relied heavily on Bower's work, the first two being little more than re-workings of it, with some independent additional material. It is hardly surprising, therefore, that there is little to be found in these sources which is not directly attributable to Bower. The *Extracta* offers no significant new material at all. Largely editing out the treatment of foreign affairs and the long moralistic digressions of Bower, it provides only a brief synthesis primarily of Bower's Scottish material. Shortening, almost to the point of ignoring, some episodes such as the rebellions in Moray and Galloway, the work nonetheless follows Bower slavishly, often quoting him almost verbatim. *Pluscarden* is little different. Apparently using some sources other than Bower, it is nonetheless very similar in nature to the *Extracta*, summarising Bower's work primarily by omitting much of the non-Scottish and moralistic material, and abbreviating much of the rest. There are certain differences from Bower—some caused by mis-readings or confusions of Bower's text, others apparently from independent sources. For instance, the passage on the death of the Bishop of Caithness, whilst still briefer than Bower's, does introduce some independent detail, following the story offered in the Bull of Honorius III,²⁴ that the bishop was stoned, beaten and burnt. The message, however, is the same: the deed was wicked (*scelus*), and the king punished it fiercely and cruelly (*saevissime et crudeliter puniendo*). On the death of the king, *Pluscarden* largely follows Bower, although again more briefly. The wording of his final comment on Alexander II varies from Bower: 'qui multum justus, paciens, benignus, clemens et misericors erat, et in omni virtute illus-

²³ Ed. W.B.D.D. Turnbull (Abbotsford Club, 1842).

²⁴ See Theiner, *Vet. Mon.* 21.

trissimus'. Different words, perhaps, but barely less formulaic than Bower's own.

It is perhaps hardly surprising that the English medieval chronicles are more concerned with the turbulent events of their own country in this period than with the neighbouring kingdom. Nonetheless, the extent to which most of them are silent on Scottish affairs is surprising. Even the interference of Alexander II in the confusions of 1215 and 1216, although mentioned, merits little attention.²⁵ The marriage of the king to Joan, sister of Henry III is reported, and the murder of Bishop Adam is reported at length in the *Annals of Dunstable*, in a version which actually implicates the Earl directly in the murder (in contrast to the Scottish sources, which keep him at least at arm's length from the crime itself), and reports him coming to terms with the 'most Christian king of the Scots' through the capture and execution of the perpetrators of the deed.²⁶ The same source makes very brief mention of Alexander's campaign in Galloway, ascribing 'valour' to the king in the affair.²⁷ Matthew Paris, who supplies more detail of these events in his *Chronica Majora*, certainly comes down also on the side of Alexander II, whose 'just disposal' of the inheritance of the daughters of Alan of Galloway had been challenged. Paris reinforces the Scottish sources' implication of a savage suppression of the rebellion: 'many thousands' were slaughtered fleeing from the battle, and others were 'punished without ransom by an ignominious death'. Only some of those who 'threw themselves upon [Alexander's] mercy' were spared death, nonetheless suffering disinheritance.²⁸ The negotiations between the kings in 1236-7, the death of Joan, Alexander's subsequent remarriage, the visit of the legate Otto, the agreement regarding marriage of the future Alexander III to Margaret (daughter of Henry III) all receive mention by Matthew Paris.²⁹ Paris directly accuses Walter Bisset of the murder (in revenge for a defeat in jousting) of Patrick, son of Thomas of Galloway, and, although praising Alexander, 'a just man and merciful', for his treatment of Bisset, nonetheless is uncritical of Henry III for his subsequent anger against the Scots king regarding

²⁵ See, e.g. Anderson, *SAEC*, 332-334.

²⁶ *Ibid.*, 336-7.

²⁷ *Ibid.*, 340.

²⁸ *Ibid.*, 341-2.

²⁹ *Ibid.*, 342-9.

the affair, when Bisset complained to him.³⁰ The threat of war in 1244 was averted by negotiation between the kings. Interestingly, Alexander's successful kingship is said to have been at least partly responsible for this:

For the king of Scotland,—a good man, just, pious and generous,—was beloved by all, as well by English as by his own subjects; and deservedly. He had therefore a very numerous army, and strong. . . .³¹

Alexander II's death is reported by several of the English chronicles, and the fullest source, again Matthew Paris, provides the sting in the tail to his generally positive attitude towards the king:

a man wise and modest, who, after reigning many years justly, successfully and in peace, in his last days prompted by greed is said to have swerved from the path of justice.

For, seeking an opportunity of oppression, he kindled gratuitous wrath against one of the noblest of his realm . . .³²

Alexander's dealings with 'Owen' [Ewen] of Argyll, leading to the expedition to the Isles in 1249, displayed the king's 'perversity', through which he incurred divine wrath, and consequently sudden death. It is a peculiarly negative end to a generally positive picture of the reign, and one which may be designed gradually to pave the way for the increasingly antagonistic attitude displayed by Paris towards the Scots as Anglo-Scottish relations deteriorated in the late thirteenth century.

It is worth noting here that the *Chronicle of Lanercost*,³³ whilst often a rich source for Scottish affairs, is so heavily dependent on the *Chronicle of Melrose* for Scottish events in this period, that it offers little additional material. This is particularly true of the earlier part of the reign, for which most of its Scottish material is quoted almost verbatim from *Melrose*. Independent material is introduced later, but it offers nothing in the way of interpretation or comment on the king or his reign. His death is reported (much as in *Melrose*), but without comment. Other sources which are sometimes useful for thirteenth-century Scottish affairs—the *Chronicle of Meaux*, the *Chronicle*

³⁰ *Ibid.*, 350–2.

³¹ *Ibid.*, 353–4.

³² *Ibid.*, 360–1.

³³ *Chronicon de Lanercost*, ed. J. Stevenson (Bannatyne Club 1839).

of *Pierre de Langtoft*, the *Scalachronica* of Sir Thomas Gray, for example—are all completely silent on the subject of Alexander II.

Matthew Paris' account of the failings of Alexander II, leading to his untimely death, is akin to the attitude displayed within the Icelandic sources, which, justifiably enough, regarded Alexander's attack on the Isles as imperialist and aggressive. *Hakon's Saga* first raises the question of the western isles in Alexander II's reign in the context of a mission from Alexander to the Norwegian court in 1242. Describing Alexander as 'a great prince, and very greedy of this world's honour', the saga tells how, having been refused any hereditary right to the 'southern' isles, Alexander offered to buy them from the Norwegian crown—an offer which was contemptuously rejected. The offer was repeatedly made, according to the saga, and eventually the 'Scot-king', losing patience, sent his fleet. Alexander, it is said, had a dream-vision of King Olaf, Earl Magnus and St Columba, exhorting him to refrain from attacking the Isles. His greed, however, caused him to ignore them, resulting in his early death soon afterwards.³⁴ This attitude to the Scottish king must, of course, be seen in the context both of the somewhat suspicious view of kingship as portrayed within much of the saga tradition, and of the saga itself, which was a work commissioned to celebrate the life of the Norwegian king.³⁵ Nonetheless, this is a closely contemporary account of the closing days of Alexander II's life, which is not without echo in other sources.

The reign of Alexander II comes right at the end of the period covered within the addendum to the *Orkneyinga Saga*, which must be almost contemporary, and the only episode which actually mentions the king is its treatment of the burning of Bishop Adam in 1222. It is given there as a tale of retribution by his people on an unjustifiably acquisitive lord; the bishop was badly advised, but was willing to come to agreement with the *bondi*, a wicked minority of whom were responsible for the murder. The punishment (or lack of it) of the

³⁴ *Icelandic Sagas*, iv: *The Saga of Hacon and a Fragment of the Saga of Magnus*, trans. G.W. Dasent (Rolls Series, 1894), 248–9, 270–71.

³⁵ '... the Sturlung tradition in Icelandic historiography recognized kingship as a suspect institution while kings themselves were perceived as potentially, and often demonstrably, corrupt in the execution of office; kings were regarded as tyrannical, whimsical and oppressive but perhaps also essential.' E.J. Cowan, 'Norwegian Sunset—Scottish Dawn: Hakon IV and Alexander III', in Reid, *Alexander III*, 107.

earl is not mentioned, but the king's justice on those who committed the crime, 'by mutilation and death, confiscation and outlawry from the land, are still in fresh memory'.³⁶

The geographical position of the 'southern isles', and their consequently complex history (in terms of national identity and 'ownership', as well of cultural development and influence) makes the *Chronicle of Man* a particularly fascinating source of evidence. That part of the chronicle previous to 1275 having been completed between 1253 and 1274, it is another contemporary work which, although borrowing heavily from the *Chronicle of Melrose* for its broader history,³⁷ nonetheless offers an importantly independent outlook on events. The most striking feature, from a Scottish monarchocentric viewpoint, is the remarkable lack of interest in Scottish royal affairs displayed by this chronicle. Alexander himself is named only twice within it—near the beginning of his reign, when he freed King Olaf of Man from the imprisonment imposed on him by William,³⁸ and again, at the time of his death. His expedition to the Isles in 1249 is noted with little emotion: he gathered a large fleet, wishing to subject the kingdom of the Isles to himself, but when he came to Kerrera, he died of a fever.³⁹ What is most interesting about this source, however, is not what it says, but what it does not. It largely ignores the Scottish kingdom, except insofar as it has sometimes to take account of individuals and events within it. It is equally (un)concerned with English affairs, more taken up with Norwegian royalty, and still more with the framework of independent rule within the western isles. Allegiance to any of the more distant powers is occasionally a necessity—but temporary—evil. It is thus easy to understand why the Scottish monarchy in this period, when it was attempting to secure

³⁶ *Icelandic Sagas*, iii, *The Orkneyingers' Saga*, trans. G.W. Dasent (Rolls Series, 1894), 232–3.

³⁷ *Chron. Man*, introduction, xxvi–xxvii.

³⁸ *Ibid.*, 16–17.

³⁹ 'Eodem tempore Alexander rex Scotiae coadunavit navium multitudinem copiosam, subicere sibi volens regnum omnium insularum; cumque pervenisset ad insulam, quae vocatur Kerwaray, ibi febre correptus mortuus est. Cujus corpus ad monasterium Melrosense translatum, ubi honorifice traditum est sepulturae.' *Ibid.*, 24. Had the king died elsewhere, or on a campaign against England, say, rather than the isles, it might have been expected that the wording of this passage would closely follow that in the *Melrose Chronicle*. In this instance, however, it seems to be quite independent of that source.

its political and fiscal boundaries, and foster the sense of national identity which was to be so crucial in the following decades, was concerned to bring the western seaboard under its influence. It is equally easy to appreciate the corresponding resistance both of the Norwegian crown, and of the Islesmen themselves. From the chronicler's viewpoint, however, Alexander II is largely ignored simply because he is a largely unimportant figure in the story he has to tell.

Returning to Scottish sources, Wyntoun's *Orygynale Cronykil of Scotland*, written by the Prior of St Serf's in Loch Leven during the first quarter of the fifteenth century, is a long and detailed work, and although heavily dependent on Bower as a source, is undoubtedly less historically accurate. The vernacular verse style is clearly intended to lend itself to a more romantic interpretation of history, and this is fully reflected in, for instance, Wyntoun's regular introduction of folktales to emphasise the qualities of his heroes and anti-heroes. His treatment of Alexander II's reign⁴⁰ is different in balance from the earlier histories of Fordun and Bower. The civil war in England, and Alexander's part in it, is summed up quickly, referring to 'gret dyscord' between King John and his nobles, leading to the invitation to the dauphin to intervene, and Alexander II's march through England 'with stalwart hand' to Dover, where they held talks, after which Alexander returned to Scotland safely, despite many English ambushes, taking and holding the castle of Carlisle on the way. Thereafter, King John died. Continuing on the theme of the discord within England, he describes the accession of Henry III, the continuing dispute with the French, and the role of the legate Gallo, whom he describes as 'rycht speciall' for England, but 'dyspytuws . . . and grevus' for Scotland, against which he antagonised the Pope, who placed the country under interdict. A considerable portion of Wyntoun's text is then taken up with the process by which the interdict was lifted. The king's marriages to Joan, sister of Henry III, and subsequently to Marie de Coucy are mentioned, and he states that for the rest of the reign, following the first marriage, there was peace between Alexander and Henry, who were then called 'Kyngis off Pes'. He then makes mention of Alexander's pursuit of justice:

⁴⁰ Andrew of Wyntoun, *Orygynale Cronykil of Scotland* (ed. Laing, Edinburgh, 1872), ii, 231–250.

This Alysandyr Kyng off Scotland
 Wes throwcht the kynryk traveland,
 Haldand courtyis and justrys,
 And chastyd it in all reveryis.⁴¹

The death of Adam, Bishop of Caithness merits graphic description, followed by a curious passage in which Wyntoun certainly implies criticism of the king for 'purging' the Earl of Caithness of the crime, and saying that he punished with death those perpetrators who were caught, because the clergy of the country would have 'agayne the Kyng ras heyly' had he not done so.⁴² Alexander, according to Wyntoun, then took Argyll, which had been in rebellion against him, and went on pilgrimage to Canterbury, after which he returned to the north, and restored the forfeited lands to the Earl of Caithness. The deaths of Malcolm, earl of Fife, Patrick, earl of Dunbar, and Ermengarde, queen of King William are reported, and the appointment of Walter the Steward as justiciar also deserves mention. A very brief passage on Alexander's quelling of the disturbance in Galloway (with very little detail of the campaigns and 'justice' meted out), is followed by the death of Queen Joan (on pilgrimage), the death of William Malvoisin, bishop of St Andrews and the succession to that see of David de Bernham, and the remarriage of the king to Marie de Coucy. A detailed passage deals with the death of the Earl of Atholl and the subsequent furore concerning the implication in the crime of Sir William Bisset and his brothers, and their eventual exile. Finally, the Council of Lyons receives a brief mention, before the report, without further comment or detail, of the death of the king in 1249.

Again, although lacking much of the detail with which his predecessors described many of the events of this reign, we have a similar lack of conviction about this king. Wyntoun's treatment of Alexander III, in contrast, is shorter, but overwhelmingly enthusiastic. Alexander II's activities are described to some extent, but (with perhaps the exceptions of the murders of the Bishop of Caithness and of the Earl of Atholl) with remarkably little judgement or comment. The reign, although it saw momentous events, especially in England—with which Scotland was inextricably involved—is regarded as somewhat of a non-event.

⁴¹ *Ibid.*, 239.

⁴² *Ibid.*, 240.

Perhaps the most interesting of the later medieval tradition in Scottish writing comes from the pen of John Major, whose *History of Greater Britain* was published in 1521. Major introduces no new material, it is true, and gives remarkably brief treatment only of most of the main episodes reported by the previous writers (and particularly Fordun and Bower, who were his most generous sources). Little detail is given of the involvement in the English conflicts early in the reign, and the treatment even of the murder of the Bishop of Caithness and the suppression of rebellion in Galloway are short and without comment. The relatively meagre space given over to Alexander's reign is heavily interspersed with Major's own comments on, for example, the over-readiness of men to accept ecclesiastical censure, and the duty of chastity accepted by nuns. Long sections on English internal affairs still further reduce the detail afforded to Scottish history in this reign. These facts make it curious, then, that Major is so enthusiastic about Alexander II. Without explaining the circumstances of his death, Major simply states that Alexander 'went that road by which all flesh must travel, and was buried at Melrose'.⁴³ Thereafter, however, he praises the king:

a man he was worthy to be a king; piously disposed to churchmen and to the poor; good men he befriended, bad men he had in abhorrence; with an equal balance he dealt justice to all; wherefore it admits of no manner of doubt that at the hand of God, the absolutely just, he received his great reward. Full of danger is the life of kings, and when a king has followed after righteousness, his merit in the eyes of God is great indeed. How difficult are virtue and art you shall see in the second book of the *Ethics*, and what more difficult than to govern aright a great state, and most of all a northern state, which has been used to no restraints? Indeed, this man is worthy of all praise. With the English king he had no dealings that were not peaceable. It is the part of wisdom in Scottish kings to cherish peace with their neighbours. Of the possessions bequeathed to him by his immediate ancestors he lost nothing, and his reign was marked from first to last by the observance of a most scrupulous justice towards his subjects. I may compare this man then, using no unfairness to others, with the most illustrious kings.⁴⁴

⁴³ John Major, *History of Greater Britain 1521*, trans. A. Constable (Scottish History Society, 1892), 181.

⁴⁴ *Ibid.*, 181–2.

Certainly, these great attributes are no more or less than the typical qualities demanded of the successful medieval king: in this sense Major stands directly in the tradition of Fordun, Bower and the earlier sources. To an extent, therefore, we should accept this eulogy as formulaic, similar to that offered by Bower. However, it is interesting to note that Alexander's father, William the Lion, to whom Major even ascribed a miracle healing, received no such encomium; his death, following a 'grievous sickness' is noted without further comment.⁴⁵ Alexander III, often the most praised of kings in the medieval sources, was said by Major to be 'worthy to be placed alongside his father',⁴⁶ but apart from an appreciative note regarding his administration of justice, there is nothing to compare with the eulogy of Alexander II. Indeed, it is unusual to have Alexander II treated as the benchmark against which to judge other kings. In this, Major stands alone.

Only six years later, Hector Boece's *Scotorum Historiae* was published. This is a more archaic, and less critical work, than those either of Major, or of the slightly later Buchanan. At the instigation of James V himself, a Scots translation of Boece was prepared by John Bellenden, archdeacon of Moray. It was this translation (initially completed in 1531 but not published until 1536 in an edition incorporating revisions perhaps by Boece himself),⁴⁷ which was to make this a hugely successful and popular work through many generations. Although embellished with myth and romance, the work has been influential, not least because of the use made of it by Holinshed, whose work was in turn a major source for William Shakespeare. The tale it tells, unsurprisingly, borrows heavily from Fordun, not only in narrative, but also in comment and attitude. The picture of Alexander as perhaps vindictive in justice, and of his failure to punish effectively the evil part played by the Earl of Caithness in the murder of Bishop Adam, and the common motif of the malefactor coming before the king with the noose around his neck, in case hanging was the king's pleasure, are all the stuff of earlier, less analytical works. No eulogy for the king is offered, however.⁴⁸

⁴⁵ *Ibid.*, 169.

⁴⁶ *Ibid.*, 169.

⁴⁷ See *SHR* xvii (1920), 12ff.

⁴⁸ Hector Boece, *The Chronicles of Scotland*, trans. Bellenden (1531), ii, ed. Batho & Husbands (Scottish Text Society, 1941), 218–229.

George Buchanan's *History of Scotland* implies praise of Alexander II (in, for instance, his early confirmation of all the acts of his father, 'that good and prudent Prince'),⁴⁹ but, although his treatment of some of the episodes in the reign are more detailed than Major's, he offers no lavish eulogy. He is predictably antagonistic towards the papacy in his attitude to the dealings of the legates and the interdict under which the Scottish king and church found themselves. Alexander II, however, is certainly not held up as the heroic saviour of the nation. Again, the circumstances of his death are ignored, but, in contrast to Major's work, the narrative passes on without further comment, to Alexander III. It is noteworthy that, unlike most of the earlier sources, Buchanan gives little space to the noble merits of Alexander III either:

He was more missed, than any King of Scotland had been before him, not so much for the eminent Virtues of his Mind, and the accomplishments of his Body; as that People foresaw, what great Calamities would befall the Kingdom, upon his Decease.⁵⁰

Departing from the medieval tradition, then, in which kingship itself was routinely lauded, Buchanan allows himself none of the formulaic praise of earlier writers.

William Robertson, Principal of the University of Edinburgh and Historiographer Royal, first published his *History of Scotland During the Reigns of Queen Mary and of King James VI . . . with a review of the Scottish History previous to that period . . .* in 1759; and so popular a work was it that within about fifty years it had run into twenty editions. In his 'review' of earlier history, he divulges nothing at all about the period prior to 1286. He does, however, state that

The history of Scotland may properly be divided into four periods. The first reaches from the origin of the monarchy, to the reign of Kenneth II. The second from Kenneth's conquest of the Picts, to the death of Alexander III. The third extends to the death of James V. The last, from thence to the accession of James VI to the crown of England.

The first period is the region of pure fable and conjecture, and ought to be totally neglected, or abandoned to the industry and credulity of antiquarians. Truth begins to dawn in the second period, with a light,

⁴⁹ George Buchanan, *History*, in English trans., London, 1689, 237.

⁵⁰ *Ibid.*, 244.

feeble at first, but gradually increasing, and the events which then happened may be slightly touched, but merit no particular or laborious enquiry.⁵¹

Good news neither for the medievalist, nor for the historiographer of Alexander III! His comment is, however, illuminating, since it displays an attitude of care towards the adequacy of source material, which becomes apparent in the eighteenth century, really for the first time. Although most modern historians would argue with Robertson's conclusion, he is clearly reluctant simply to admit the authority of the medieval chronicles, without the corroboration of documentary sources.

The *Annals* of Sir David Dalrymple of Hailes, published in 1776, is perhaps the first significant piece of Scottish historical writing covering the medieval period consistently to cite sources as evidence in support of historical argument. The short space of time since the publication of Robertson's work had seen the production of, for example Rymer's *Foedera*, suddenly making available a wealth of evidence which had previously been virtually inaccessible. Suddenly, the medieval period becomes a legitimate field of study for the serious historian. The *Chronicle of Melrose*, Fordun and Matthew Paris are Dalrymple's most frequently used narrative sources, along with a commendable range of documentary evidence. Although offering Alexander II less space than his son, and considerably less than his father, Hailes is nonetheless enthusiastic about the king. King William is berated for debauchery, and is accused of being in some respects immoral and 'impolitic'. However,

in other respects, he appears to have been a judicious and worthy Prince; steady, perhaps severe, in the administration of justice, amid a fierce and undisciplined people. Active in quelling insurrections, he traced the delinquents to their most distant retreats. He was zealous and successful in asserting and establishing the privileges of the Scottish Church.

His vigilant attention to the state of England, and to the temper and exigencies of Richard, at length regained that independence to Scotland, which his inconsiderate valour had lost.⁵²

⁵¹ Robertson, *History* (Edinburgh, 17th edn., 1806), i, 205–6.

⁵² Hailes *Annals* (Edinburgh, 1797), 154–5.

Hailes offers an equally measured summation of the reign of Alexander III:

Alexander was long and affectionately remembered for his incessant labours in distributing justice. He made an annual progress through his kingdom, and held itinerant courts in every quarter . . .

The acquisition of the western islands was a politic measure; but Alexander lived not long enough to render it beneficial.

His conduct towards the neighbouring kingdom was uniformly candid and wise. He maintained that amity with England which interest as well as relation to its sovereigns required; yet he never submitted to any concessions which might injure the independency of the kingdom and church of Scotland.⁵³

Hailes' summaries of the previous and ensuing reigns are quoted here to demonstrate the contrast with his attitude to Alexander II. His style is terse and factual for the most part, reporting, sometimes with comment, on the rising in Moray in 1215 and the involvement of Alexander in the turmoil of King John's reign and the consequent invasions of northern England and southern Scotland. Commenting on the 'barbarity' of the English army in burning the priory of Coldingham, he accuses Alexander of 'emulating the barbarity' in the western marches. The destruction of Holmcultram, however, he ascribes to an undisciplined body of 'Scots' (presumably, in Hailes' terms, therefore highlanders) who were later 'chastised' by the king. The story continues, much as told by Fordun (with some of Boece's embellishment). In describing the savage justice meted out to the murderers of Bishop Adam, Hailes adds; 'I wish, and presume, that there may be some monastic exaggeration . . .' The later death of the Earl of Orkney is reported, but without comment insofar as the rôle of the king in his punishment is concerned. The king's final campaign to the isles is viewed as perfectly justified:

Angus of Argyle had been wont to do homage to the King of Norway for certain islands. Alexander required *that* homage to be done to himself, and, it being denied, he resolved to force it. While engaged in this enterprise, he was seized with a burning fever, and died in the island of Kerarry . . .⁵⁴

⁵³ *Ibid.*, 202.

⁵⁴ *Ibid.*, 156–176, and at 176.

The summary of the character and reign of Alexander II, is warm, if brief:

Alexander II was one of the wisest princes that ever reigned over Scotland. Steadiness and magnanimity are the striking features of his character.⁵⁵

He goes on to mention (without judgement) Alexander's *acta*, and notes his 'particular kindness' to the Blackfriars, excusing (through lack of funds) his lack of support for the great monastic orders. What is interesting here is the comparison between Hailes' treatment of Alexander II and that of William and Alexander III. No criticism is offered of Alexander II; the comment regarding him is, however, brief and entirely vague. The other two kings, however, whilst not necessarily flawless in character or judgement, both receive eloquent praise, which is related closely to specific actions, policies or qualities. Obviously, Hailes is to some extent following his sources in this: the same comment is made about Fordun and Bower above. However, Hailes is not unable or generally unwilling to offer his own analysis of events or people, and he has at his disposal documentary sources which were not available to the earlier writers. We must bear the question in mind, why he chose not to stand outside the by now customary lack of enthusiasm.

Throughout the nineteenth and early twentieth centuries, there was a colossal amount of publication on Scottish history, riding the crest of the wave of record publication. Skene's *Celtic Scotland*, first published in 1876/77, attempts both chronological and thematic treatment of the period to 1286. It is noticeable that the tale he tells of Alexander II is designed entirely to support the thesis that the character of the thirteenth century is of the gradual extension of royal power to the outlying areas of the kingdom: he refers to the royal action in Argyll, Moray and Galloway, and even, in passing, to the burning of Bishop Adam.⁵⁶ No other issues, however, are discussed: most noticeably, the entire question of Anglo-Scottish relations is ignored. This is, of course, a work about 'Celtic' Scotland, but it can hardly be pretended that events taking place in the southern part of the kingdom had no effect on the north.

⁵⁵ *Ibid.*, 177.

⁵⁶ W.F. Skene, *Celtic Scotland* (2nd edn., Edinburgh, 1886-7), i, 483-490.

In 1867 John Hill Burton, published his *History of Scotland from Agricola's Invasion to the Extinction of the last Jacobite Insurrection*, one of many such general histories produced in this period. He makes it clear that Alexander II's English policy was a continuation of William's, aiming to use the weakness of English monarchy to win the long-cherished northern counties of England. Again, within a generally chronological framework, Burton stresses themes of history. The next which he raises is familiar:

he inherited from his father difficulties in many shapes as to the out-lying provinces, as they might be termed—those to which the King of Scots professed a title which he could rarely make effective.

He presents a picture of general lawlessness caused partly by the nature of society and partly by dynastic and tribal squabbling in the north, Argyll and Galloway, and, although he does not mention the murder of Bishop Adam, he does give the mutilation of Adam's predecessor by Harald Maddadson as an example of the nature of the problem.

Burton anticipates later events, discussing (with apparent belief) the later claim by Robert Bruce that he had been recognized as heir apparent during Alexander's reign, and passes on to his final theme, the civilizing influence of the 'courtly' Normans in the 'rude north'. His thesis, however, is hardly supported by the example he gives of the close alliances formed within the Anglo-Norman community, that of the severe consequences of the feud involving the Bisset family.

Moving towards the king's death, 'on an expedition to extend, partly by negotiation, partly by force, the authority of the crown of Scotland over these islands and northern districts which, so far as they were not in the hands of independent local rulers, held rather of the King of Norway than the King of Scots', he briefly describes Alexander's failure to persuade John of the Isles to submit, and simply says that 'these incidents, personal to King Alexander II, and his death, belong to transactions connected with the completion of Scotland as a separate kingdom so important as to deserve a separate narrative'—and passes on to Alexander III.⁵⁷

⁵⁷ J. Hill Burton, *History of Scotland from Agricola's Invasion to the Extinction of the last Jacobite Insurrection* (2nd edn., Edinburgh & London, 1873), ii, 7–19.

Early in his treatment of Alexander III, Burton provides the promised separate narrative on the question of the Isles and Norwegian relations from 1100–1263. After brief background information, however the passage is overwhelmingly devoted to the battle of Largs. The only reference to Alexander II is in the context of a statement that it was natural for Scots kings, as they increased in power, to seek control over the Isles and western seaboard. The policy of the Scottish kings was therefore to increase their judicial and fiscal control, ‘and it was in an expedition to push these requisitions that Alexander II died at Kerrera’. Later, he follows themes on law, personal freedom, and social and constitutional developments, but makes very little mention of Alexander II in these contexts.⁵⁸

Andrew Lang, in his *History of Scotland from The Roman Occupation* displays obvious irritation and impatience with much of the medieval period. He is entirely dismissive of many features of the period, without apparently attempting to understand or explain them. Alexander II’s involvement in English affairs was brought about through his being ‘tempted by the usual lure of Northumberland’, but gained him nothing, ‘doing homage in the usual way for his English fiefs’. The king’s difficulties in the north and west are similarly treated: ‘naturally’ there was a MacWilliam revolt on the king’s accession, and later ‘the usual MacWilliam risings followed, and were suppressed by the accustomed beheadings . . . Some Norse disturbances arose on the west coast, but the energy of Alexander overcame them, as well as the normal revolts in Galloway’.

He briefly discusses the Bisset affair, and the treaty between Alexander and Henry III regarding the northern counties, before moving towards the death of the king:

Alexander died in the islet of Kerrera, in the bay of Oban, while prosecuting a quarrel with his liege man of Argyll, who held his possessions on the mainland from the King of Scotland, his islands from the King of Norway. Alexander wanted to be lord of the islands, but death overtook him on his maritime expedition (1249). He had settled the North and West, he had destroyed the MacWilliam blood, but the disturbances previously caused by *prétendants*, MacHeths and MacWilliams, were henceforth, throughout Scottish history, succeeded by the strife of parties among the great nobles.⁵⁹

⁵⁸ *Ibid.*, 26–36.

⁵⁹ A. Lang, *History of Scotland from the Roman Occupation* (Edinburgh & London, 1900), i, 119–20.

Similarly dismissive of much of Scotland's medieval history, Lang seems particularly unimpressed by Alexander II, whose reign merits only a couple of pages of text (compared to eight for William and five for Alexander III). In total, the entire period from 1058 to 1286 merits approximately 12% of the space offered to James IV alone.

E. William Robertson, *Scotland Under Her Early Kings*, published in 1862, offers the fullest treatment of Alexander II since the medieval histories. The detailed descriptions of all of the episodes of the reign which were described in the earlier histories follow largely the same pattern, and with the same interpretation. Although there is nothing new here, and indeed the story is very much as it is found within the pages of Bower and Matthew Paris, the detail with which it is both recorded and footnoted (citing English and Scottish chronicle sources, as well as published documentary evidence) gives an impression of a reign which is indeed regarded as important. Robertson follows his narrative with a lengthy summation of the reign, and thematic comment on progress, mainly in legal and ecclesiastical terms. He makes much of Alexander II, describing him as 'a prince possessing many high and noble qualities' who died 'in the zenith of a prosperous career'.⁶⁰ The success of his reign is marked out in terms of his successful 'winning of the west', his assiduous maintenance of peace with England (all the cross-border tension was the fault either of the English nobility or of Henry III), and the fact that 'his policy was . . . directed principally towards the internal amelioration of his kingdom'.⁶¹ Finally, he makes the comment that 'from this reign may be dated the rise of those two great parties whose contentions long disturbed the peace of the country; and hardly were the ashes of Alexander deposited in their last resting place at Melrose, before the animosity of the rival factions, kindling over the very grave of their sovereign, carried strife and dissension into the court of his youthful successor'.⁶² Once more, the spectre of Bower glides through the veneer of a more modern approach to Scottish historiography.

The period of seventy-two years, covered by the reigns of Alexander II and Alexander III, is the golden age of Scottish history. It was a period of almost unbroken peace, for the few revolts in remote districts of the country never seriously disturbed the public order. In these

⁶⁰ E.W. Robertson, *Scotland Under her Early Kings* (Edinburgh, 1862), ii, 45, 46.

⁶¹ *Ibid.*, 46.

⁶² *Ibid.*, 52.

years the revolution begun by Malcolm Canmore and accomplished by David bore its full effects in a steady progress towards national feeling and territorial unity. Though the Celtic elements of the country still on occasion gave ominous proof of their presence, they were no longer a standing menace to the stability of the throne. Through the efficacy of the feudal institutions and the organisation of the Church Scotland had become a consolidated kingdom which only some unforeseen catastrophe could avail to break up. While the new institutions gave consistency to the various classes that made up the nation, the intermarriage of Scot and Norman and Saxon tended to obliterate those racial antipathies which had hitherto endangered the unity of the kingdom. During the reigns of the two Alexanders there is little indication of that jealousy between the Celtic and Norman barons which had been a constant source of trouble to David and Malcolm and William. If any danger now threatened the royal authority, it was the selfish interests of the baronage as a whole, which at a later day was to prove so disastrous to king and people alike. During these reigns, however, this danger assumed no formidable shape; and once more it was the good fortune of the country to be blessed beyond its neighbours in all the conditions that make the welfare of a people. While the great countries of Christendom—England notably among the rest—were distracted by foreign wars or internal revolutions, Scotland pursued her peaceful development with such profit that at the death of Alexander III she was relatively to her resources the most prosperous country in Europe.⁶³

The lengthy quotation from Hume Brown's *History of Scotland* encapsulates the attitude of the Victorian writers to this period. Treating the reigns of the two Alexanders as one historical episode, Hume Brown views the whole period as a consolidation of previous work, leading towards the final establishment of the kingdom as a political and cultural unit. Heavily influenced by Bower,⁶⁴ but perhaps not understanding his 'propagandist' purposes, these writers have reproduced and interpreted his attitudes towards regional and baronial strife, and the development of the kingdom in a manner which presents a view of the history which is deeply rooted in the assumption that 'progress' must inevitably mean central royal control on the Anglo-Norman model, based in that part of the country which even to today we tend to give the misnomer 'the central belt'. The

⁶³ P. Hume Brown, *History of Scotland* (Cambridge, 1902), i, 110–111.

⁶⁴ For the fundamental influence of Bower in moulding subsequent historiography, particularly in relation to Alexander III, see Reid, 'Alexander III: The Historiography of a Myth', especially at 200–201.

result is a skewed vision of national development, with a patronising and dismissive attitude to the bulk of the country, which fundamentally underplays the importance of developments in the north, the west, and Galloway. It creates a largely false impression of racial divisions in thirteenth century Scotland, and points towards the logical conclusion of a history in following centuries dominated by baronial strife—again, largely a creation of Bower, for his own purposes.

Hume Brown's assertion of 'unbroken peace' is not difficult to challenge: although his narrative discusses the 'few revolts in remote districts' (by implication, therefore, insignificant), the Scottish involvement in the problems of John's reign, near-war in 1236 and 1242, the conflict with the Norwegian crown, and the troubles of Alexander III's minority, his summation of the period conveniently ignores most of these issues. Indeed, the narrative of Alexander II's reign is almost exclusively taken up with internal or external conflict, and provides very little to justify the lavish statements quoted above. It is true, however, that in contrast with writers such as Lang, Hume Brown does see the whole thirteenth century as of fundamental importance in the development of the nation.

For many years, Hume Brown was the staple fodder of Scottish school children, and even university students. Of all the Scottish historical writing since Bower, it could be argued that Hume Brown's has been most influential in moulding the popular opinions of Scottish history until very modern times, and it is not until quite recently that his attitudes, and even accuracy, have been seriously called into question. Most of the popular histories—and much of the serious work—written during the twentieth century have followed the Bower/Hume Brown path, with remarkably little variation. The advent in the 1960s of a new revisionist school, which pre-eminently has challenged the monarchocentric and centralist view of medieval Scotland, has radically altered our perception of the thirteenth century.⁶⁵ No longer is it automatically assumed that any historical episode can be classified as the archetypal 'good thing' or 'bad thing'. A new depth of understanding is achieved by perceiving events from a variety of

⁶⁵ Starting with the *New History of Scotland* (volume i, W.C. Dickinson, *Scotland from the earliest times to 1603*; London & Edinburgh, 1961), a succession of historians have taken up Dickinson's challenge. The many works on medieval Scotland produced since the 1960s—far too many to discuss in a single article—have completely revised our view of the period.

standpoints: the history of the north, and of the western seaboard must be looked at from the perspective of those who lived there;⁶⁶ the self-seeking attitudes ascribed to the Scottish nobility have been scrutinized and re-assessed;⁶⁷ even some of the core source material itself has been re-evaluated and critically edited.⁶⁸

The result is that 'general' histories, feeding from this new research, display new attitudes. A.A.M. Duncan's *Scotland: The Making of the Kingdom*,⁶⁹ whilst treating Alexander's reign in a primarily chronological framework similar to earlier works (within a broader thematic approach), nonetheless shows far greater breadth of understanding than any of the earlier writers. Michael Lynch, in briefly summarising 'Thirteenth century kingship and the Kingdom of Scotland,'⁷⁰ takes account of the many factors influencing events and attitudes to them—not least the complex interdependence of the crown and nobles, and the strength and importance of regional loyalties and power-bases. It is a far cry from the individual character/achievement assessments of the earlier historians.

The movement towards more thematically-based work, however, limits our ability to assess attitudes to individual monarchs and their reigns. In one respect, perhaps, little has changed: still, even in modern thematic work, historians have their favourites. The reigns of David I, William and Alexander III provide today, as they did in the fourteenth century, models and examples which lend themselves well to the themes which are the mainstay of the writers' respective arguments. No writer can stand entirely outwith the historiographical tradition of which they are a product. If the story of the thirteenth century as we now see it is less the triumph over savage Galwegians, unruly Norsemen, and an imperialist English crown, and more the

⁶⁶ See, for example, Cowan's 'Norwegian Sunset—Scottish Dawn'; several essays within *Alba: Celtic Scotland in the Medieval Era*, ed. E.J. Cowan and R.A. McDonald (East Linton, 2000) and the fascinating insight into the westward-oriented self-image of the Scots in Dauvit Broun's *The Irish Identity of the Kingdom of the Scots in the Twelfth and Thirteenth Centuries* (Woodbridge, 1999).

⁶⁷ K.J. Stringer, ed., *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985); Alan Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997), for example.

⁶⁸ Perhaps the most important achievement of recent Scottish historiography was the publication of the magnificent critical edition of Bower's *Scotichronicon* (ed. D.E.R. Watt et al., 9 vols., Aberdeen/Edinburgh, 1987–1998).

⁶⁹ *The Edinburgh History of Scotland*, i (Edinburgh, 1975).

⁷⁰ M. Lynch, *Scotland, A New History* (London, 1991), 8–92.

gradual melding of peoples, institutions and cultures under both external and internal influences to create a sense of national identity—then we can only assume that the reign of Alexander II, so similar in many respects to those of both his father and his son, was as crucial to the process as the rest of the century. It is interesting, therefore, that in a work such as *Image and Identity: The Making and Remaking of Scotland through the Ages*,⁷¹ Alexander II does not even win an entry in the index.

The present writer has demonstrated elsewhere how the attitudes of the medieval writers, most pre-eminently Bower, coloured the subsequent historiography of Alexander III. Not until very modern times did the insubstantial myth of a 'golden age', propagated by Fordun and fertilized by Bower, come under critical scrutiny. The same process can be seen at work with the reign of Alexander II. In this reign, however, there is no such myth to challenge. For the very reason that Fordun portrayed Alexander III as a paragon of medieval Scottish kingship, he did not do so with Alexander II. There was therefore no story for Bower and others to conflate and repeat, and so the 'headlines' of the reign remained remarkably consistent throughout the course of Alexander's historiography. Overshadowed for the most part by his more famous son, Alexander II has remained in relative obscurity.

That fact may explain the process of historiographical attitude—but not, however, its cause. That some writers picked up the 'golden age' myth and ascribed it to both of the Alexanders, and even to the whole century, indicates that they were at least aware of the relative continuity of approach and achievement of the two kings. It cannot be said with any degree of confidence that Alexander III was, in most respects, a more successful king than his father. So why did Fordun and Bower choose not to exemplify the qualities of kingly perfection through the medium of Alexander II instead of (or as well as) Alexander III?

The answer may lie both in attributes ascribed to kings—the concept of kingship and their achievement of that ideal—and in the underlying purpose of the writers. The Melrose chronicler hinted on a few occasions that he was less than convinced by Alexander II's

⁷¹ Broun, Finlay and Lynch, eds, *Image and Identity*.

achievement of the true ideal of kingship. He was fiercely condemnatory of King John for allowing (and even encouraging) the English army to despoil the abbey of Coldingham in 1216. Immediately afterwards, however, he alludes to the Scottish army's sack of Holmcultram, and whilst he (of course) claims that it was done against the wishes of the king, the close juxtaposition of the accounts seems to imply criticism.⁷² Should not a true leader of his men have been able to prevent such disorder? This episode finds its way directly from Melrose into Bower;⁷³ it was not used by Fordun. A similar accusation was made in 1235, when the Scots army despoiled churches and murdered churchmen in Galloway, after the departure of the king.⁷⁴ This time the story is picked up by Fordun,⁷⁵ and is again used by Bower.⁷⁶ The same episode recounts the savage way in which the king dealt with some of the Irishmen who had joined in the uprising against his authority. Again, the severity of the punishment meted out to those who were responsible for the death of the Bishop of Caithness, and the suspicion of a mercenary motive for the more lenient treatment of the Earl in that affair⁷⁷ leave room for slight suspicion of the king's character. Several sources also imply criticism of the papal interdict which was the consequence of Alexander's involvement in the internal problems of the English crown.

It may be, then, that there were hesitations about Alexander II's personal fulfilment of the kingly ideal. Particularly with those who wrote more than two centuries after the event, however, these could have been overlooked, as no doubt they were in the case of Alexander III. More important was the nature of the reign in terms of the purpose of the writers. It has been argued elsewhere that Fordun's purpose was 'to provide a firm historical basis for the independence of the Scottish nation from England', and that Bower's was similar, although more precisely aimed at the specific problems afflicting the country in his own day.⁷⁸ Despite Hume Brown's protestations, it cannot be pretended that Alexander II's reign was as marked by

⁷² *Chron. Melrose*, 122–23.

⁷³ *Chron. Bower*, v, 85.

⁷⁴ *Chron. Melrose*, 146.

⁷⁵ *Chron. Fordun*, i, 291 (ii, 286).

⁷⁶ *Chron. Bower*, v, 150, 151.

⁷⁷ See above, 53–4, & nn. 15, 16; also note Wyntoun's attitude—see 61–2 above.

⁷⁸ Reid, *Alexander III*, 190, 193–94.

peace as Alexander III's. Alexander III achieved what his father did not, and actually brought the western isles under the direct political control of the Scottish crown. It was the end of Alexander III's reign, and the dynastic problems which ensued, which demonstrated that Scotland had indeed achieved an identity which had clearly been missing in previous centuries. This may well have been developing under Alexander II also, but it was less obvious. Generally, Alexander II had a close relationship with Henry III, who was seen as an evil influence by Fordun and Bower. The relationship with the Dauphin in the early years of Alexander II's reign, too, indicating perhaps a willingness to sacrifice much in order to achieve the cession of the English northern counties, was of dubious merit in the context of a firm desire to prove the historical independence of the two kingdoms. All in all, it is not difficult to see why the portrayal of the two kings differs. Alexander III's reign is more suited to the model of 'nationhood personified'. Alexander II then, for both personal and political reasons, was not the perfect model of kingship for the newly emerging Scotland of the thirteenth century. The only writer who seems to have attempted this was John Major, who portrayed both Alexanders in the light of perfect monarchy. He did, however, omit much of Alexander II's reign from his narrative, perhaps in order to allow himself the extravagant eulogy. It was not an example which was to influence others.

This reign was too close, both in its conduct and in time, to Alexander III for the medieval historians to condemn it. In comparison, too, to the chaos of King John's England, Alexander II had hardly been a disaster. Hence Fordun, who certainly painted a less than perfect picture of the reign, nonetheless described Alexander as '*mitissimus*', and was flamboyant, if vague, in his encomium. Bower, and thus later writers, followed the lead, with the result that Alexander II's reign was simply less used than that of his son. Later, the economic success of Alexander III was ascribed also to Alexander II, and the idea of continuity of policy was introduced, in order to create the myth of the 'golden' century. Alexander II, however, never achieved Alexander III's popularity, primarily because Bower was such a profound influence on later writing.

The relative lack of attention paid to Alexander II in the English chronicles can also be explained in the same way. Generally, of course, the English chroniclers were antipathetic towards the Scottish kings, particularly in the context of the deepening conflict between

them, and repeated dispute over the status of the Scottish realm. The reign of Alexander II, however, offered little ammunition for them: he opposed the hated King John, and avoided the great questions of his regal status which so fundamentally afflicted the reigns of his father and son. Even Matthew Paris, who tells more about him than most, condemned him at the very end of his reign, only as an after-thought. This reign simply did not provide enough fodder to justify very much attention from the English chronicle school.

The work of Lord Hailes is interesting, since (as was the case with Alexander III), he was quite capable of adopting a stance independent of Bower. His attitude to the kings, however, was very much tied up with their protection of the rights and independence of the kingdom and church. Perhaps unwittingly, therefore, he followed the same historiographical tradition, looking for those elements of kingship and rule which led towards the development of national identity. On either side of Alexander, William's reign is noteworthy because of the contrast within it of disaster (1174) and success (1189). Alexander III is the archetypal good king, leading his people to peace and stability. Alexander II is left nondescript between them, fitting neither purpose.

So again the influence of Fordun and Bower have moulded the historiographical trends of the following five centuries and more. Alexander II has not been condemned, but has been largely ignored. Failing to satisfy the specific requirements of the earlier historians, the ensuing historiographical tradition has tended to neglect the part his reign played in the development of the nation. His reign is indeed interesting and worthy of study, but, with the notable exception of John Major, it was not until the publication of Hume Brown, for all its flaws, that Alexander II was received into the continuum of thirteenth-century development. Even then, old attitudes have died hard, and only in very modern times—and most notably within the covers of the present volume—has Alexander II regained his place in the corpus of historical writing. As has now been proved, it was a part as crucial as any king before or after.

CONTEMPORARY PERSPECTIVES ON ALEXANDER II'S SUCCESSION: THE EVIDENCE OF KING-LISTS

Dauvit Broun

At the beginning of December, 1214, the prelates and magnates of the realm were assembled in Stirling where their seventy-one-year-old king lay in the throes of his last illness; during the night of Thursday, 4 December, 1214, he died. At first light the following day the earls of Fife, Strathearn, Atholl, Angus, Menteith, Buchan, and Dunbar, and the bishop of St Andrews took Alexander, William's only legitimate son, sixteen years and three months of age, to Scone where he was inaugurated as king. The remainder of Friday, Saturday, and Sunday were spent feasting, during which time Earl David, King William's brother, arrived and joined in the celebrations. The bishop of Glasgow, the bishop-elect of Ross, William I's widow, the chancellor, and many of the household meanwhile stayed with the old king's body and brought it slowly to Perth where on Monday, 8 December, they were met on the bridge over the Tay by Alexander, Earl David, and others who had been at Scone. William's body was then carried to Arbroath where he was buried on Wednesday, 10 December, with Earl David as chief mourner.¹

We are fortunate to have such a remarkably detailed account of the ceremonies that initiated Alexander II's reign, almost certainly derived from a contemporary source.² The impression is of a carefully choreographed sequence of events designed to portray an orderly succession. The passing of the old king had obviously been anticipated, and preparations made in advance. What is particularly striking is the haste with which Alexander was taken to be inaugurated: the new king was enthroned within twenty-four hours of William's

¹ *Johannis de Fordun Chronica Gentis Scottorum*, ed. W.F. Skene (Edinburgh, 1871), 279–81 (hereafter *Chron. Fordun*, vol. i); *John of Fordun's Chronicle of the Scottish Nation*, trans. Felix J.H. Skene (Edinburgh, 1872), 275–6 (hereafter *Chron. Fordun*, vol. ii) (*Gesta Annalia* xxviii–xxx).

² W.W. Scott, 'Fordun's description of the inauguration of Alexander II', *SHR*, 1 (1971), 198–200.

death. It has been commented that the reason for inaugurating Alexander before his father was laid to rest was to minimise the potential interruption to the king's peace caused by an interregnum.³ There are indeed other probable examples of inaugurations being conducted before the burial of the previous king. When Alexander II himself died on Kerrera on 8 July, 1249, his eight-year-old son was inaugurated at Scone only five days later; it is possible therefore that Alexander's body was not interred at Melrose until after 13 July. An earlier example may be the inauguration of Mael Coluim following David I's death at Carlisle on 24 May 1153. It is not known exactly when David was buried in Dunfermline abbey. It is noteworthy, however, that Scottish king-lists give an unusually precise reckoning for Mael Coluim's reign: 12 years, 6 months, and 13 days.⁴ The period between Mael Coluim's death on 9 December 1165 and that of his grandfather is, in fact, 12 years, 6 months, and 16 days.⁵ If the stated figure of thirteen is accepted as genuine, then presumably it was calculated from Mael Coluim's inauguration. This would mean that no time was lost getting Mael Coluim enthroned at Scone nearly 150 miles distant from his grandfather's deathbed; no doubt King David would only have been laid to rest afterwards.⁶

³ A.A.M. Duncan, *Scotland: the Making of the Kingdom* (Edinburgh, 1975), 552.

⁴ This seems to have been in the archetype of Marjorie Anderson's Y-group of lists, and was copied inaccurately as *xx* in the archetype of the X-group of lists (see M.O. Anderson, *Kings and Kingship in Early Scotland*, 2nd edn (Edinburgh, 1980), 52). See also Dauvit Broun, *The Irish Identity of the Kingdom of the Scots in the Twelfth and Thirteenth Centuries* (Woodbridge, 1999), chapter vii.

⁵ Sir Archibald Dunbar, *Scottish Kings. A revised chronology of Scottish history 1005–1625*, 2nd edn (Edinburgh, 1906), 71, 74–5. Conceivably '16 days' was the original figure in the king-lists' archetype: it was not uncommon for minims to be misread so that *xvi* could have become *xiii*.

⁶ Geoffrey Barrow has commented that 'the carriage of King David's body from Carlisle to Dunfermline, his funeral in the abbey church, and the assembly of the magnates at the Moot Hill of Scone, thirty miles further north, must have occupied at least a week, and probably longer': *Regesta Regum Scottorum*, vol. i, *The Acta of Malcolm IV*, ed. G.W.S. Barrow (Edinburgh 1960), 7 (the possibility that David was buried after his grandson's inauguration was probably not considered because this was written before W.W. Scott established the authenticity of the account of Alexander II's inauguration in *Gesta Annalia*: see above). David I died at first light on Sunday 24 May, which could have allowed at least two whole days for the journey from Carlisle to Scone. It may be noted, however, that David, realising that he was dying, made final arrangement of his affairs on Wednesday 20 May. This could have involved initiating preparations for his grandson's inauguration. An invaluable detailed account of David's last days was written by Ailred of Rievaulx (sometime before Henry fitzEmpress became king of England in 1154): it can be consulted most readily in *Scotichronicon by Walter Bower in Latin and English*, gen. ed. D.E.R. Watt, 9 vols (Aberdeen/Edinburgh, 1987–98), vol. 3, 160–9.

Not all inaugurations were carried out quite so promptly, however. The timing of William I's own enthronement was a little more leisurely. He was not inaugurated until 24 December 1165, more than two weeks after Mael Coluim's death at Jedburgh.⁷ In this instance it seems more likely that Mael Coluim had been buried in Dunfermline beforehand. Be this as it may, a valid distinction may be made between those inaugurations that were conducted as soon as humanly possible, and those that were slightly more relaxed. The contrast between William's enthronement and those of his brother Mael Coluim and grandson Alexander III can readily be explained, moreover. William was twenty-two years of age and in full command of his faculties; there can have been no doubt that he would be the next king. Mael Coluim's inauguration, however, was the first occasion when a boy had become king. He was only eleven years old. It was a measure of the uncertainty which attended Mael Coluim's succession that the previous year Earl Donnchad of Fife had taken Mael Coluim and led an army round the kingdom to show that the boy was King David's heir.⁸ Alexander III was even younger when he succeeded his father. By 1249 a boy king was no longer unprecedented, of course, but Alexander's tender age was still doubtless a factor in the desire to have him inaugurated swiftly, enabling those intending to govern the realm in his name to establish themselves in power.⁹

Alexander II was not a boy king, however. At sixteen he may not have been fully adult, but unlike Mael Coluim and Alexander III he was already a knight: King John of England had girded him with the belt of knighthood in London two years earlier on 4 March 1212.¹⁰ He had presumably seen action in the campaign against Meic

⁷ Dunbar, *Scottish Kings*, 73, 77.

⁸ A.O. Anderson, *Scottish Annals from English Chroniclers, AD 500 to 1286* (London, 1908; rev edn, Stamford, 1991), 228 (passage from John of Hexham).

⁹ The make-up of the minority regime was in due course contested; tensions were apparent during the inauguration itself when the justiciar of *Scotia*, Alan Durward, a crucial figure in the first government during the minority (1249–51), proposed to knight Alexander before his enthronement, but was thwarted by Walter Comyn, earl of Menteith, and the majority of those assembled (*Chron. Fordun*, vol. i, 293; vol. ii, 289); for comment see, e.g., Alan Young, 'Noble families and political factions in the reign of Alexander III', in *Scotland in the Reign of Alexander III, 1249–1286*, ed. Norman H. Reid (Edinburgh, 1990), 1–30, at 5.

¹⁰ Anderson, *SAEC*, 330 (passage from Roger of Wendover); A.O. Anderson, *Early Sources of Scottish History AD 500–1286*, 2 vols (Edinburgh 1922) (hereafter *ES*), vol. ii, 390–1; *The Chronicle of Melrose from the Cottonian Manuscript, Faustina B ix in the British*

Uilleim in the summer of that year.¹¹ Also, in 1201 he had been formally recognised as heir by the magnates while still an infant.¹² Nevertheless, the immediacy of his inauguration suggests that Alexander's succession was not taken for granted by those participating in the ceremonies. This may seem surprising. Male primogeniture by this stage was a generally accepted principle of succession. Not only had the full logic of this been grasped by the magnates in 1201 when they solemnly acknowledged the possibility of Alexander's succeeding as a young boy ahead of William's younger brother, David earl of Huntingdon, but William's plan in 1195 to make his eldest daughter his heir had proved unacceptable to some Scottish leaders as long as Earl David and his son were alive.¹³ There can have been no serious doubt in 1214 that Alexander would succeed his father.¹⁴ The only dynastic challenge faced by Alexander came from Meic Uilleim, the lineage of William son of Donnchad mac Mái Choluim, who since at least 1179 mounted numerous attempts to seize the throne.¹⁵ Their power base, however, was in the north and west, far from the kingdom's heartlands in the east and south; this, combined with our knowledge of their repeated failures and ultimate extinction in 1230 makes it appear, at least at first sight, that their cause was inherently flawed and futile.

Museum: a complete and full-size facsimile in collotype, with intro. by Alan Orr Anderson and Marjorie Ogilvie Anderson, and index by William Croft Dickinson (London, 1936) (hereafter *Chron. Melrose*), 57.

¹¹ *Regesta Regum Scottorum*, vol. ii, *The Acta of William I*, ed. G.W.S. Barrow with the collaboration of W.W. Scott (Edinburgh, 1971) (hereafter *RRS*, ii), 20.

¹² Anderson, *ESSH*, ii, 354 (*Chron. Melrose*, 51): see further, below.

¹³ Roger of Howden, *Chronica*, ed. William Stubbs, 4 vols (Rolls Series, London, 1868–71), vol. iii, 298–9; Duncan, *Scotland*, 239–40; K.J. Stringer, *Earl David of Huntingdon, 1152–1219: a study in Anglo-Scottish history* (Edinburgh, 1985), 42–3. For Earl David's son (presumably David), see below. See also John Gillingham, 'The travels of Roger of Howden and his views of the Irish, Scots and Welsh', *Anglo-Norman Studies*, xx (1997), 151–69, at 158, where a plausible case is made for regarding Roger of Howden as the negotiator on Richard I's behalf in the discussions with William which was the context for William's proposal to nominate his daughter as his heir.

¹⁴ I am very grateful to Professor Duncan for his discussion of this point with me. He informs me that he is less certain now than he was in Duncan, *Scotland*, 552, that the mention of Alexander's acceptance as heir in the account of William's death in *Gesta Annalia* refers to a renewed commitment to Alexander's succession given by the magnates at William's deathbed. The key phrase in *Gesta Annalia* is an ablative absolute, which could conceivably refer back to the earlier recognition of Alexander as William's heir in 1201 (on which see below).

¹⁵ See generally Duncan, *Scotland*, 194–7.

The urgency with which Alexander was enthroned alerts us, therefore, to the likelihood that, for contemporaries, Alexander's succession did not seem as certain as we may be tempted to regard it, and that indeed there may have been a degree of anxiety which was absent when William came to the throne nearly half a century earlier. The most likely cause of this, it may be argued, was the threat from Meic Uilleim.¹⁶ Meic Uilleim, after all, not only found support in parts of Moray and Ross, but also had backers in the north of Ireland.¹⁷ The crown's continuing inability to establish firm control of the north and west gave Meic Uilleim the chance to recover from their defeats. In 1211–12 William resorted to employing Flemish mercenaries obtained from King John of England to quell a Meic Uilleim rising; an earlier attempt to deal with the situation by deploying a regular force led by earls had brought little success. William, moreover, felt sufficiently threatened that he had negotiated a treaty with John to ensure John's support for Alexander's succession.¹⁸ As long as there was a Mac Uilleim claimant with a seemingly unconquerable powerbase in the north there was always the chance if the reigning monarch was unpopular that support for Meic Uilleim might spread beyond Moray.¹⁹

The modest purpose of this essay is to gain a more intimate impression of the mood of important sectors of Scottish society with regard

¹⁶ As Professor Barrow has observed, 'at this remove of time Bishop Wilmund [who challenged David I for the throne] and Donald Macwilliam may appear mere oddities. In their day they were taken very seriously': G.W.S. Barrow, *Kingship and Unity: Scotland 1000–1306* (London, 1981), 52.

¹⁷ Note, for instance, Seán Duffy, 'The Bruce brothers and the Irish Sea world, 1306–29', *Cambridge Medieval Celtic Studies* 21 (Summer 1991) 55–86, who comments (at 63) with regard to the Meic Uilleim risings of 1211 and 1215 that 'Irish armies were the backbone of rebellions against royal power in Scotland'.

¹⁸ Duncan, *Kingdom*, 196, 250–2. King William's reliance on King John's support is discussed in Professor Duncan's forthcoming article on William's relations with John (to be published in *Essays on the Reign of King John*, ed. S. Church). I am grateful to Professor Duncan for allowing me to see this important paper in advance of its publication.

¹⁹ In 1187 magnates had contemplated abandoning William for Domnall mac Uilleim: Anderson, *Scottish Annals*, 294–5 (extract from 'Benedict of Peterborough', i.e., Roger of Howden: see D.M. Stenton, 'Roger of Howden and Benedict', *English Historical Review*, lxxviii (1953), 574–82). I am grateful to Professor Duncan for drawing my attention to the significance of this passage and to Roger Howden's personal links with Scotland (he was a canon of Glasgow Cathedral). Gillingham, 'The travels of Roger of Howden', esp. 157–62, is an important discussion of Roger of Howden's close links with Scotland through repeated diplomatic visits and intimacy with leading Scottish churchmen.

to Meic Uilleim in particular or Alexander's right to rule in general by examining two king-lists, one probably written in or shortly after December 1214, the other sometime between Alexander's birth in 1198 and his father's death. But first a word or two of explanation. King-lists are by their nature a rather limited form of literature. They may give us immediate access to a few aspects of how a kingship was regarded: for instance, whether a kingship was presented as a long and ancient succession, and who was identified as its founding figure(s). Even in these matters, however, such apparently obvious information usually needs to be unpackaged and contextualised in order to yield its treasures. There are also more detailed features of a list that can betray particular issues that were of concern to its author. This article will be chiefly involved with these less obvious aspects of the two king-lists under review. The underlying assumption is that the choice of words and emphasis employed in a king-list is the result of deliberate design rather than carefree composition. Because of its subject, a king-list was an important and potentially sensitive text, especially for an author who identified with the kingship in question.

As far as the first regnal list is concerned, it is possible—because its source is known—to detect quite straightforwardly where the list's author has made the most significant changes. Some of these betray in graphic terms the extent of the hostility provoked by Meic Uilleim. The king-list begins with Cinaed mac Aipín, and systematically includes details of each king's death, as well as the usual reign-length. It is written in Latin elegiac couplets, and is consequently known today as the Verse Chronicle; Skene published a version of it under the title 'the Metrical Chronicle, commonly called the *Chronicon Elegiacum*'.²⁰ The earliest manuscript is the Chronicle of Melrose where it has been added piecemeal in the margin; the scribe who did this also added material associated with the births of Alexander III in 1241 and Alexander's firstborn son (also Alexander) in 1264 to the second king-list that will be discussed below.²¹ The final item from the Verse Chronicle added in the margin of the Chronicle of Melrose is on William I; it has been suggested, however, that the

²⁰ W.F. Skene, *Chronicles of the Picts, Chronicles of the Scots, and Other Early Memorials of Scottish History* (Edinburgh, 1867), 177–82.

²¹ *Chron. Melrose*, xxii, xxiv, xli; the text is published as a single entity on xxv–xxvi.

scribe's exemplar may have included Alexander II, but that the year-section for 1249 in the chronicle may not yet have been written up.²² A version of the Verse Chronicle was also entered piecemeal by Bower into his *Scotichronicon*, in which the final section referred to Alexander II as if he had recently become king: 'now the royal office is exercised by a king who sees to the royal rights, Alexander, that most excellent knight'.²³ There are some minor variants between the texts in the Chronicle of Melrose and *Scotichronicon* that suggest that the text was revised before reaching Melrose (a striking example is that Cùstantín mac Cinaeda's reign-length has been altered from 'six years' to 'thrice five years').²⁴ Another version of the Verse Chronicle is in a fourteenth-century manuscript: it is the only place where the text has survived in a unitary form. It is more akin to the *Scotichronicon* version than the Melrose version, and continues to Alexander III, who was evidently still reigning.²⁵ A fourth version (more akin in some respects to Melrose than *Scotichronicon*) was added piecemeal by Andro of Wyntoun into his *Original Chronicle*, but only as far as Lulach mac Gilla Comgáin (d.1058). On the face of it the witness with the most authority is the copy in the Chronicle of Melrose. A better understanding of the relative status of the witnesses would be highly desirable, however.

The description of each reign is generally restrained, and each king is usually given two couplets (occasionally less). The style becomes more lyrical and eulogistic for William I, however, who is given three couplets:²⁶

Flower of kings, an ornament to the kingdom, everything that is glorious among men,
the good King William enters Heaven.
After completing fifty years on the throne
he died in Stirling.

²² *Ibid.*, xxiv.

²³ *Nunc agitur regnum facientis regia jura/ Regis Alexandri, militis egregii: Chron. Bower*, iv, 474 (text) 475 (translation): for discussion see Anderson, *Kings and Kingship*, 60–1.

²⁴ According to what can be deduced from contemporary chronicles he reigned 862–76; he is usually given a 16-year reign in king-lists.

²⁵ Oxford, Bodleian Library, MS 302, fo. 138 r/v: see Anderson, *Kings and Kingship*, 60–1. It has been published (not entirely accurately) in Skene, *Chron. Picts and Scots*, 177–82.

²⁶ *Flos regum regniue decor, decus omne uirorum/ Willelmus celum rex pius ingreditur./ Annis in regno iam quinquaginta peractis/ in Struelino mortuus ille fuit./ Pridie rex obiit nonas in pace decembris./ Qui Badocensi conditur almus humo./ Nunc agitur regnum facientis regia jura . . . : Scotichronicon*, ed. Watt, vol. 4, 474 (text), 475 (trans.).

The king died peacefully on 4 December.

This gentle monarch is laid to rest in the soil of Arbroath.

Now the royal office is exercised by a king who sees to the royal rights . . .

The tone suggests that this was written at the time of William's burial or shortly afterwards.²⁷ This raises the possibility that it may also have been associated with another royal funeral: Alexander II was buried at Melrose, which could explain how the poem was acquired by the monks there and was so highly regarded by them that it was entered into their chronicle.

A striking change between the Verse Chronicle and its source is in its portrayal of the inhabitants of Moray.²⁸ In the source two kings are said to have met a violent death in Moray: Mael Coluim mac Domnaill (d.954) who was killed by the inhabitants of Moray 'by guile',²⁹ and Dub mac Maíl Choluim (d.966) who was killed at Forres.³⁰ The only adverse comment was therefore the reference to some underhand circumstances in the killing of Mael Coluim mac Domnaill. It is ironic that in reality it was the men of the Mearns, not the men of Moray, who did the deed (at Fetteresso).³¹ Perhaps

²⁷ Marjorie Anderson (*Kings and Kingship*, 52) has suggested that the 50-year reign-length for William may have been inherited from the archetype of her X-group of lists. She has given other reasons for identifying the Verse Chronicle with her X-group (*ibid.*, 49–50); however, given that the poet has occasionally taken some licence in dealing with reign-lengths (at least partly because of the demands of the form in which he was writing), it is possible that he arrived at '50 years' independently of the archetype of the X-group. William actually reigned for just under 49 years. Marjorie Anderson has also suggested that the naming of the killer of King Cuilén as *Radhardus* is an error for *Amdarch* (the name given in most other lists); this is shared with List I (which has *Radharc*), which would mean that the Verse Chronicle was, at best, derived from a copy of the archetype of the X-group. The person in question was a Briton. Only *Radhardus/Radharc* can readily be identified with a known name (Welsh *Rhydderch*) (as pointed out by Kenneth Jackson in his review of the first edition of Anderson, *Kings and Kingship*, in *Medium Ævum*, xlv (1975), 98–101). It would appear, therefore, that the Verse Chronicle has been derived either from the X-group's archetype or an ancestor of it. For ancestors of the X-group, see now Broun, *The Irish Identity of the Kingdom of the Scots*, chapter vii.

²⁸ The source is represented by the X-group of lists: see Anderson, *Kings and Kingship*, 50–2, 60–1. Most of the witnesses are edited at 264–92.

²⁹ *interfectus est a Morauiensibus per dolum* (list D); *interfectus in Ulum a Morauiensibus* (list F); *interfectus est in Ulnem a Morauiensibus per dolum* (list I). The place where Mael Coluim is said to have died may be identified as Blervie, just south of Forres, which appears as *Ulerin* in a thirteenth-century record (see Duncan, *Scotland*, 190).

³⁰ *interfectus est Fores* (list D); *interfectus in Fores* (list F); *interfectus in Fores* (list I).

³¹ As stated in the tenth-century Chronicle of the Kings of Alba in the collection of Scottish historical pieces in the 'Poppleton manuscript': see Anderson, *Kings and Kingship*, 252.

Moermenses was misread as *Morauiensis*; perhaps, however, this alteration was influenced by an expectation that Moray was where kings met potentially fatal opposition. If this was so it would have been a timid instance of anti-Moray prejudice when compared with what is found in the Verse Chronicle. There, in contrast to the plain statement that Dub fell at Forres, we are told that 'the treacherous people of Moray killed him'.³² As for Mael Coluim's death at the hands of the men of Moray, the source's reference to underhand means is uncompromisingly trumped in the Verse Chronicle by the shrill declaration that 'he fell by the deceit and guile of an apostate people'.³³

On the face of it this hatred for Moray is not wholly consistent in the Verse Chronicle; Mac Bethad mac Findlaích and Lulach mac Gilla Comgáin, both historically associated strongly with Moray, are written up sympathetically.³⁴ It would be remarkable if the author were unaware that these kings of Scots were Moravians.³⁵ The basis for the vitriolic references to Moray, however, is revealed by the treatment of Donnchad mac Maíl Choluim (d.1094). Donnchad is the only king who the author has evidently gone out of his way to discredit: 'because he lived badly', we are told, 'the whole people crushed him'.³⁶ The message is clear: Donnchad was not fit to be king, and his unsuitability had been recognised by everyone.³⁷ To

³² *Hunc interfecit gens perfida Morauiensis.*

³³ *Interfecerunt in Ulum hunc Morauiensis/ gentis apostatice fraude doloque cadit.* In *Scotichronicon* this is changed to *Tortores regum fuerant qui Morauiensis./ Hunc extinxerunt ense doloque suo.* 'Men of Moray were the regicides who killed him with their treachery and their sword' (*Scotichronicon*, ed. Watt, vol. 2, 350–1). All other versions of the Verse Chronicle have the more virulent statement; these lines in *Scotichronicon* almost certainly therefore represent a toning down of the original's extreme language.

³⁴ Mac Bethad's reign is praised as a time of fertility (*in cuius regno fertile tempus erat*), and his death at the hands of Mael Coluim III is described as 'cruel' (*truncavit morte crudeli . . . Malcolomus*); Lulach is called *infelix*, 'unlucky' (which is more sympathetic than *fatuus*, 'fool, simple', in the X-group of lists).

³⁵ The statement that Lulach perished 'through lack of caution' (*incaute rex miser occubuit*) may be compared with the notice of his death in a contemporary Irish chronicle in which it is said that he was killed by Mael Coluim III *per dolum*, 'through treachery' (Whitley Stokes, *The Annals of Tigernach*, 2 vols (reprint, Felinfach, 1993), vol. 2, 290). The treatment of Mac Bethad and Lulach in the Verse Chronicle suggests that its author had access to some account of their deaths.

³⁶ *Se male uiuendo, plebs premittit omnis illum.* In the Verse Chronicle's source (as represented by the X-group of lists) there was no adverse remark about Donnchad, so this is the author's own comment.

³⁷ The king who comes closest to receiving such negative criticism is Cuilén, who is described as *insipiens*, 'foolish', presumably because of his rape of Rhydderch's daughter which led to his death at Rhydderch's hands. The rape and Cuilén's subsequent killing has been taken from the Verse Chronicle's source. It should also be

modern eyes Donnchad may appear as a rather hapless, inoffensive individual who fatally failed to destroy his uncle, Domnall Bán, after deposing him as king. We might wonder why he, more than anyone else, has been targeted by the poem's author for such blunt condemnation. The answer lies in Donnchad's descendants. It was through him that Meic Uilleim, the lineage of William fitzDuncan, claimed their most immediate royal descent.³⁸ It has already been noted that they threatened William I's throne in the aged king's last years; in 1215 they mounted another challenge for power. Throughout this period it was Moray and Ross that Meic Uilleim used as their stronghold. It would be only natural for those who identified most closely with William I and his family to fear so persistent a rival lineage and to nurture a deep and indiscriminate distrust of that lineage's powerbase. It is this fear and distrust that is evidently reflected in the poem: a vivid instance of heightened feelings at the time of Alexander's succession.

The second king-list to be considered does not have potentially so direct a bearing on the events of December 1214 as the first king-list. It does, however, serve to remind us that Alexander's right to succeed his father (particularly when Alexander was not yet in his teens) may not have seemed so certain to contemporaries as might

noted that in the version of the Verse Chronicle in the Chronicle of Melrose there is an unintelligible comment (*in tegalere*) in the stanza devoted to Cuilén's son, Custantín (995–7): in *Scotichronicon* this reads *indegale* (which is equally meaningless), in the Bodleian manuscript *jus regale* (which, although comprehensible, is suspiciously lame in the context), and in Wyntoun the couplet is omitted (presumably because it was incomprehensible). It is difficult to decipher what was originally intended here. Walter Goodall in his edition of *Scotichronicon* amended *indegale* to *inregale*, 'unkingly' (see *Scotichronicon*, ed. Watt, vol. 2, 382 *n.d.*). This would mean that the author of the Verse Chronicle may also have cast aspersions on the kingship of Custantín mac Cuilén (last of the line of kings descended from Aed mac Cinaeda, d.878), stating that 'he ruled as king unkingly for one year and a half' (*ibid.*, 383); if this is so, however, the tone is hardly as forthright as in the treatment meted out to Donnchad mac Mail Choluim.

³⁸ Geoffrey Barrow has proposed (*RRS*, vol. ii, 13) that Domnall mac Uilleim's mother may have been a cousin or sister of Oengus, king of Moray (killed invading south of the Mounth in 1130). He suggested, however, that Domnall through his mother, therefore, 'would inherit a claim to the throne probably more cogent than that derived from his father'. Descent in the male line from a grandfather who was king must, presumably, have counted for much, whatever may have been gained from his mother's side. The fact that William fitzDuncan seems never to have pressed his claim to the throne, and remained consistently loyal to David I, does not mean that such a claim did not exist: William, who evidently predeceased Henry, son of David I, doubtless realised that David I and his son were too powerful to be challenged effectively.

be supposed by the magnates' recognition of Alexander as heir to the throne in 1201. This is not to deny that politically Alexander's accession may have been by far the most likely outcome; it does, however, suggest that important sectors of Scottish society were aware that male primogeniture could not be taken for granted as the guiding principle for determining royal succession.³⁹ It is true that, since Edgar's defeat of Domnall Bán in 1097, the pattern of succession had conformed to what would be expected had it been determined by male primogeniture. But this was the result of biological accident as much as anything else. Within the dynasty of Mael Coluim and Margaret's descendants the acid test of a young or immature male succeeding according to primogeniture ahead of a mature male cadet had not yet arisen: this was especially fortunate when the dynasty's hopes devolved on the boy Mael Coluim, grandson of David I, in 1153.⁴⁰ There was a real prospect, however, that Alexander would not yet be in his teens when his father died, and that his father would be survived by his younger brother, David earl of Huntingdon. When Alexander was born in 1198 his father William was already fifty-five years old; Earl David was nine years William's junior.⁴¹ Contemporaries would have needed no reminding, moreover, that male primogeniture could still be contested in relation to royal succession. Not only had King William in 1195 contemplated nominating his eldest child, Margaret, as his heir, but when Richard I

³⁹ For what follows see esp. Stringer, *Earl David*, 43. An important statement of the older view, which saw primogeniture as promoted by Mael Coluim mac Cinaeda (d.1034) and finally established in the twelfth century, and the resistance to it as somehow a Celtic reaction, is Gordon Donaldson, *Scottish Kings*, (London 1967, 2nd edn. 1977), 12–17. Donaldson later radically altered his view in a lecture delivered at the Scottish National Portrait Gallery in 1990, published (in an expanded version) in Gordon Donaldson, *Scotland's History: Approaches and Reflections*, ed. James Kirk (Edinburgh, 1995), 103–17, esp. 105–10: at 110 he commented that 'the apparent regularity of the succession in the Margaretson line had been almost accidental'.

⁴⁰ William 'fitz Duncan', son of Donnchad mac Máil Choluim, died ca 1151. He had throughout his career remained loyal to David I. I owe to David Sellar the suggestion that, had David I's son Henry been survived by William, then it can not be regarded as certain that William, rather than Mael Coluim, would not have been preferred as David's heir. William's son, Domnall mac Uilleim, who challenged William I in the 1180s, may have been a minor in 1153: the earliest evidence of his challenge to William is in 1179. William's son by his second marriage, also called William, was younger than King Mael Coluim and died in 1165 before coming of age.

⁴¹ Stringer, *Earl David*, 10. It is sometimes stated (erroneously) that he was born about 1144 (e.g. Dunbar, *Scottish Kings*, 65).

died on 6 April 1199 his younger brother, John, Count of Mortain, had become king of England despite the right of Arthur of Brittany, the twelve-year-old son of John's elder brother Geoffrey (d.1186).⁴² Politically Earl David in his career displayed nothing of Count John's brutal ambition. In principle, however, male primogeniture was not yet finally established, at least as far as inheriting kingdoms was concerned. It may be significant, therefore, that Earl David delayed recognising Alexander as heir. 'The magnates of the land' swore fealty to Alexander at Musselburgh in 1201, but David alone paid homage to his nephew four years later;⁴³ it may be inferred that he was absent from the earlier ceremony. Alexander's peaceful accession to the throne in 1214 may therefore be regarded as the final

⁴² Arthur was murdered by John on 3 April, 1203: it has been remarked that 'it is not difficult to believe that John could have killed Arthur in a typical fit of Angevin drunken rage'; W.L. Warren, *King John*, 2nd edn (London, 1978), 83; see 48–9 for contemporary debate over John and Arthur's rights to the throne. (For dates see Dunbar, *Scottish Kings*, 68 and n. 75.)

⁴³ Anderson, *ESSH*, vol. ii, 354, 365 (*Chron. Melrose*, 51, 52). Earl David's delay in recognising Alexander may have been motivated in part by a desire to safeguard the interests of his legitimate sons born to him from his marriage to Matilda, daughter of the earl of Chester, whom he married in August 1190. There is some uncertainty about how many sons Earl David had apart from John who succeeded him as earl of Huntingdon. Robert and Henry are mentioned in *Gesta Annalia* (*Chron. Fordun*, vol. i, 281); during the Great Cause, Henry and David were mentioned (with Henry as the eldest) (E.L.G. Stones and Grant G. Simpson, *Edward I and the Throne of Scotland, 1290–1296*, 2 vols (Oxford, 1976), vol. ii, 140, 208). These were certainly dead by ca 1209, when John is referred to as Earl David's heir (Stringer, *Earl David*, 291 n. 6). In Earl David's charters the only son who is mentioned is David: on both occasions (major charters to Lindores datable to 1198 × 9 and 1202 × 3) grants are made for the salvation of the souls (*inter alia*) of Earl David himself, Countess Matilda his wife, his son David, 'and all my successors, and for the salvation of the souls of all my brothers and sisters' (Stringer, *Earl David*, 245, 251). It seems curious that only David is mentioned. Some reference to Earl David's other children might be expected (there were also three daughters: presumably Margaret, the eldest, who married Alan Lord of Galloway in 1209, and Isabel, the second daughter, who had married Robert Bruce of Annandale by 1210, would have been alive by 1198 × 1203), but maybe not so if David was at that time Earl David's only son and heir. It is possible that later references to a son named Henry are a result of confusion with Earl David's two illegitimate sons, Henry of Brechin and Henry of Stirling. Confidence in the lone reference to Robert in *Gesta Annalia* is undermined by the lack of any mention of David in the same passage on Earl David's sons. It is possible, therefore, that (before the birth of John) Earl David in fact had only one son, David, who died immature. John was thirteen when Earl David died in June 1219, and so may not have been born until early 1206. If Earl David's son, David, was dead by 1205, then it is conceivable that when Earl David performed his homage to Alexander he may have had no living legitimate male heir whose rights would be effected by a resignation of any rights to the throne.

definitive moment when male primogeniture became unambiguously the rule of succession.

The second regnal list under consideration is especially noteworthy because it is the only one written during Alexander's lifetime that survives as an original manuscript. It is appropriate, therefore, that we should take into account not only what its author wrote but also its physical appearance and layout, and any additions made to it during Alexander's lifetime or not long afterwards. It is likely to have been a fresh composition, rather than a reworking of an earlier king-list. It was written on what appears to have been the tail end of a roll of parchment inserted into the Chronicle of Melrose (fo. 14: pp. 25–6). Alan and Marjorie Anderson described the hand as 'a semi-cursive ("charter") hand', and compared it with a book hand, 'probably of the Melrose school', responsible for the text of the chronicle between pp. 68 and 72 (fos 35v and 37v), and two passages on p. 75 (fo. 39r), recording events in 1217–22.⁴⁴ The text in the original hand has been carefully written on ruled lines across the entire breadth and length of fo. 14 *recto*, and for just over two lines of the *verso* (on which seven lines were probably ruled).⁴⁵ It begins with the succession of Mael Coluim III to the kingship in '1056' and finishes with the birth of Alexander II in 1198. The death of William in the 49th year of his reign and the accession of Alexander have been recorded in a later hand.⁴⁶ The text in the original hand can therefore be dated 1198 × 1214. There are three further sections of writing, all by a third scribe.⁴⁷ This scribe's 'semi-cursive' hand has been identified in additions to the chronicle itself, in one instance dated 'probably later than the annal for 1240', in other cases probably before the work of scribes responsible for 1240–5;⁴⁸ he was also responsible for adding the Verse Chronicle into the chronicle's margins. On fo. 14 this scribe continued where the second left off, noticing Alexander II's marriages, the death of his first wife, the birth of Alexander III, the death of Alexander II and accession of Alexander III. We are told that 42 years have elapsed since Alexander II's first

⁴⁴ *Chron. Melrose*, xl (D1), l (I1).

⁴⁵ Seven lines can be seen in the facsimile edition.

⁴⁶ 'A narrow book-hand': *ibid.*, xl (D2).

⁴⁷ *Ibid.*, xl–xli (sections E1 and E2, 'very probably by the same man'); E3 and E4 are probably also the same scribe.

⁴⁸ *Ibid.*, xli (E3); lvii–lix.

marriage in 1221, 22 years (altered from 23) since the birth of Alexander III, and 14 years since his inauguration.⁴⁹ From these calculations it is apparent that this section was written sometime in 1263×4 , probably between 4 September 1263 and 18 June 1264.⁵⁰ It has been suggested that it may have been inspired by the birth of Alexander, son and heir of Alexander III, on 21 January, 1264.⁵¹ Further down the page a reckoning of the number of years since the foundation of Cîteaux has been added and corrected. The figure suggests that this was written in the year beginning 21 March, 1264,⁵² conceivably it was written on the same occasion as the first section. This is followed after a small gap by a series of similar calculations, again in the same hand, but much smaller. The calculations have been altered in an attempt to bring them up to date in 1264.⁵³ It has been suggested that the original calculations of this final section may have been made in connection with the birth of Alexander III on 4 September 1241.⁵⁴ If so, then this would reinforce the impression that the third scribe regarded the text as chiefly concerned not only with the royal dynasty, but specifically with the senior male line.

It can be shown that the original text of this king-list was itself written with the senior male line of the royal family very much in mind. Marjorie Anderson has described the original text as 'the tail end of a summary chronicle of Scottish kings', commenting that 'it is impossible to be sure that the summary began before Malcolm III, but it seems probable'.⁵⁵ There is little doubt, however, that it begins

⁴⁹ *Ibid.*, xl.

⁵⁰ *Ibid.*, xl. *ES*, vol. ii, 560, n. 3.

⁵¹ *Chron. Melrose*, xl.

⁵² *Ibid.*, xl.

⁵³ *Ibid.*, xl–xli.

⁵⁴ *Ibid.*, xli.

⁵⁵ Anderson, *Kings and Kingship*, 75 and n. 127. She was influenced by the fact that marginal entries on royal successions in 1034, 1039, 1055 and 1056 by hand Q (datable to 1240×1) include, as the last entry (under 1056) *Malcolmus filius Dunecani suscepit regnum Scocie jure hereditario*: these words are close to the statement in fo. 14, *Suscep<it> Malcolm<us> fili<us> Dunecani regnum Scotie iure hereditario* (the first line has at some stage been trimmed causing the loss of contractions) (*Chron. Melrose*, xxxiii, lvi–lvii). This could imply that Q's information for 1034, 1039, and 1055 was derived from a lost section of fo. 14. This is not the only possible explanation, however. Q, for instance, may have expanded information from a plain king-list (like the Y-type list used for insertions in the margins written 'soon after Q': *ibid.*, xli), perhaps inspired by the regnal list in what became fo. 14. The entries by Q show a similar

with Mael Coluim Cenn Mór not by accident but by design. This is apparent from considering two aspects of scribal practice. Firstly, Mael Coluim's accession stands at the beginning of a line at the very top left corner. The whole text has been written continuously without any attempt to make each reign begin on a new line; if material before Mael Coluim had been cut away, then it would be likely that the text as it survived would begin during a reign, if not in mid-sentence. Secondly, the text begins with the words *Anno ab incarnatione domini*, with only *domini* abbreviated (to *dni* with superscript stroke above *n*). Thereafter the phrase *ab incarnatione domini* is always abbreviated radically: *ab ic. d.* (at accession of Edgar), *ab inc. d.* (at Edgar's death), *ab inc. d.* (at Alexander I's death), *ab ic. d.* (at David's death), *ab ic. d.* (at Henry's death), *ab ic. d.* (at Mael Coluim's accession), *ab ic. d.* (at William's accession), and *ab ic. dni.* at Alexander II's birth. It is apparent, therefore, that the phrase was given its fullest form for the date of the accession of Mael Coluim III because that was the first time it appeared in the text.

The regnal list as written by the first hand can be recognised, therefore, as a summary account of the royal line descended from Mael Coluim III and his second wife, St Margaret, up to the birth of their great-great-grandson, Alexander. It is the earliest extant Scottish king-list which begins with Mael Coluim III.⁵⁶ The decision to focus on Mael Coluim and Margaret's descendants may be explained by one of the text's chief concerns. There is an obvious emphasis on hereditary right to kingship, and primogeniture in particular. Mael Coluim III, we are told, became king *iure hereditario*, 'by hereditary right'; on Mael Coluim's death his brother Domnall Bán 'usurped the kingship, sending the legitimate heirs, namely Edgar, Alexander,

concern for succession by primogeniture. We may speculate that the effort of tracing this back from Mael Coluim III was taken no further than the accession of Mael Coluim's father, Donnchad, because it was realised that this would result in a remarkably high number of usurpations. Alternatively, the chief point of interest may have been Q's observation that Mael Coluim mac Cinaeda died without a son so that the succession passed through Mael Coluim's daughter to Donnchad, which could have been pertinent in 1240 × 1: Alexander II's cousin, John, earl of Huntingdon and Chester, had died childless in 1237, the future Alexander III was not yet born, so the heir would have been (presumably) Robert Bruce, son of Earl David's daughter, Isabella.

⁵⁶ It was copied largely into the Chronicle of Huntingdon along with other material probably derived from the Chronicle of Melrose; Anderson, *Kings and Kingship*, 75.

and David, into exile' (*inuasit igitur regnum . . . legitimis heredibus scilicet Edgaro, Alexandro, David, exilio relegatis*); after the brief reign of Donnchad (described as *nothus*, 'illegitimate'),⁵⁷ Domnall Bán 'again usurping the kingship' (*iterum regnum inuadens*), reigned until his capture by Edgar, who 'received the kingdom of Scotland by heredity' (*hereditario regnum Scocie suscepit*).⁵⁸ Such an interest in defining the legitimate line of succession is obviously appropriate for a text evidently written in connection with the birth of Alexander II, William I's only legitimate son.

The author seems particularly concerned, however, to emphasise that Domnall Bán had no right to the kingship. A significant difference in tone can be detected between the reigns of Domnall and his rival Donnchad mac Máil Choluim. The whole passage reads:⁵⁹

Domnall brother of the aforesaid King Mael Coluim usurped the kingship, sending the legitimate heirs, namely Edgar, Alexander, and David, into exile. But Donnchad, son of the aforementioned Mael Coluim (although illegitimate), who was a hostage in the court of the king of England (namely William Rufus), arriving suddenly by the aid and counsel of the same [King William], routed his uncle and was received as king; and he reigned for a year and a half. A certain earl, namely of the Mearns, with the counsel of the aforesaid Domnall, wickedly murdered him. Domnall, again usurping the kingship, reigned for three years and a half.

Donnchad, although dubbed illegitimate and therefore not (in the author's eyes) a lawful heir, is nevertheless said to have been 'received as king', and his death is described as a 'wicked murder'. It is only

⁵⁷ The earliest extant statement that Donnchad was regarded as *nothus* is by William of Malmesbury writing in (or not long before) 1126: *William of Malmesbury Gesta Regum Anglorum: History of the English Kings*, ed. and trans. R.A.B. Mynors, completed by R.M. Thomson and M. Winterbottom (Oxford, 1998), 724 (and see xxii–xxiii for date of composition).

⁵⁸ This of course is anachronistic. According to the pattern of succession which prevailed at this time Domnall Bán had as much right to the throne in terms of his ancestry as had his nephews.

⁵⁹ The Latin reads (illegible letters supplied in square brackets): *Inuasit igitur regnum Duuenaldus frater predicti regis Malcolmi legitimis heredibus, scilicet Edgaro, Alexandro, David, exilio relegatis. Sed Dunecanus fili[us] prenominati Malcolmi sed nothus qui erat obses in curia regis Anglie, scilicet Willelmi Ruffi, auxilio et consilio eiusdem superueniens patrum suum fugauit, et susceptus est in regem, et regnauit per annum et dimidium. Cui quidam comes, scilicet de Mornes, cons[il]io predicti Duuenaldi, necem nequiter intulit. Duuenaldus iterum regnu[m] inuadens, regnauit annis tribus et dimidio.*

Domnall Bán who is actually identified as a usurper. This of course is in marked contrast to the Verse Chronicle, in which there is no disapproval of Domnall Bán (whose two reigns are reported without particular comment), but stark condemnation of Donnchad mac Mail Choluim. The emphasis on Domnall Bán can be seen to have an immediate cause, however: the defence of the principal of primogeniture in the event of an uncle challenging his older brother's male offspring. As noted already, King John of England had seized the throne ahead of his nephew's claims, and the question of Earl David's position in relation to the immature Alexander was probably not formally settled until 1205; perhaps the regnal list was composed before that date.

The authors of both the Verse Chronicle and fo. 14 in the Chronicle of Melrose can be seen to have been vigorously committed to Alexander II's right to rule. This, however, is about all that these texts have in common. In the Verse Chronicle no special interest is shown in Mael Coluim III and St Margaret (who is not even mentioned despite being the only queen to have been noted in the Verse Chronicle's source), and there is no hint of primogeniture defining the royal succession. This can be explained, at least partly, by the framework adopted by the author of each list. The text in fo. 14 is avowedly focussed on the lineage descended from Mael Coluim III and St Margaret, with whom it begins; in the Verse Chronicle it is the kingship of Alba, *regnum Scottorum*, which is prominent, whose founding figure Cinaed mac Aipín heads the list. These should doubtless be regarded as two sides of a coin, rather than mutually exclusive alternatives: it is not simply the lineage that counts, but also the historical kingship that (after all) is what made the lineage royal. Another striking difference is in the kingly qualities that are emphasised in each text. In folio 14 in the Chronicle of Melrose the text becomes more than a mere list of kings and dates not only when the issue of legitimate succession is highlighted, but also when the saintly death of the lineage's progenitrix, St Margaret, and the divinely inspired virginity of her great-grandson, Mael Coluim, are recounted. The Verse Chronicle, by contrast, is thoroughly secular in outlook: it is the martial quality of kings or their ability to maintain 'firm peace' (*pax firma*) which is placed in the foreground. David I, for instance, is noted for his provident fortification of the kingdom with castles and arms; the virginity of his grandson Mael Coluim is noted,

but we are told that 'firm peace did not yet flourish sufficiently in the kingdom'.⁶⁰ Only with William's death and burial does a more religious tone become evident. Again, each text would seem to emphasise two sides of the same coin: kings were expected to have both military and holy qualities, not necessarily one at the expense of the other.⁶¹ The different perspective adopted in each text suggests, however, that their authors may have belonged to different milieux; if folio 14 represents what was written in a monastery of a new order, then perhaps the Verse Chronicle was composed by a secular cleric.⁶²

It may be inferred that Alexander's succession was actively promoted by a cross-section of the elite in the kingdom's heartlands, not simply by a narrow clique. The form of each text, indeed, suggests that they represented significant currents of opinion. The existence of at least three versions of the Verse Chronicle in the thirteenth century indicates that scribes were actively engaged with it at least in the period *ca* 1215 to *ca* 1250. If it was associated in some way with the burial of William in 1214 and Alexander II in 1249 then it could have formed a significant part of such a solemn public gathering. The physical appearance of the king-list in folio 14—charter-hand on the tail end of a roll—suggests a more administrative or legal context. It may be compared with folio 54 inserted into the chronicle, which is also a wedge-shaped membrain (possibly also from a roll of parchment) whose text is in a charter hand.⁶³ This represents a digest of events concerning Scoto-English relations down

⁶⁰ On David: . . . *caute prouida prospiciens . . . castellis regnum muniuit et armis*. . . . On Mael Coluim: *Non satis in regno jam tunc pax firma uigebat . . . fertur . . . rex sine labe mori* (in contrast to Alexander I, during whose reign 'firm peace flourished in all Scotland', in *Scocia tota . . . pax firma uigebat*).

⁶¹ But note the statement in king-list E that David I was so religious 'that he would obtain victory over his enemies more by entreaties poured out to God than by weapons of war' (*ut plus supplicationibus ad Deum profusis quam armis bellicis uictoriam de inimicis optineret*): Anderson, *Kings and Kingship*, 256; Anderson, *ESSH*, ii, 220.

⁶² His handling of placenames which he translated into Latin suggests that he knew some Gaelic. For instance, Invercullen (which might refer to Cowie in the Mearns) is accurately translated *fluminis ostia Collin*; Rathinveramon (now lost; presumably 'fort of Inver Almond') is given as *caput amnis Amon*, 'mouth of the River Almond'; and the unidentified 'inverdufatha' (list I's spelling) is rendered *nigra specus*, 'black cavity', which suggests that the name may have been read as *inber dub fata*, 'long black rivermouth'. These examples also display the poet's stylish determination to avoid repeating terms for 'river' and 'rivermouth'.

⁶³ *Chron. Melrose*, pp. 105–6; for discussion see xxii and lxi (section U).

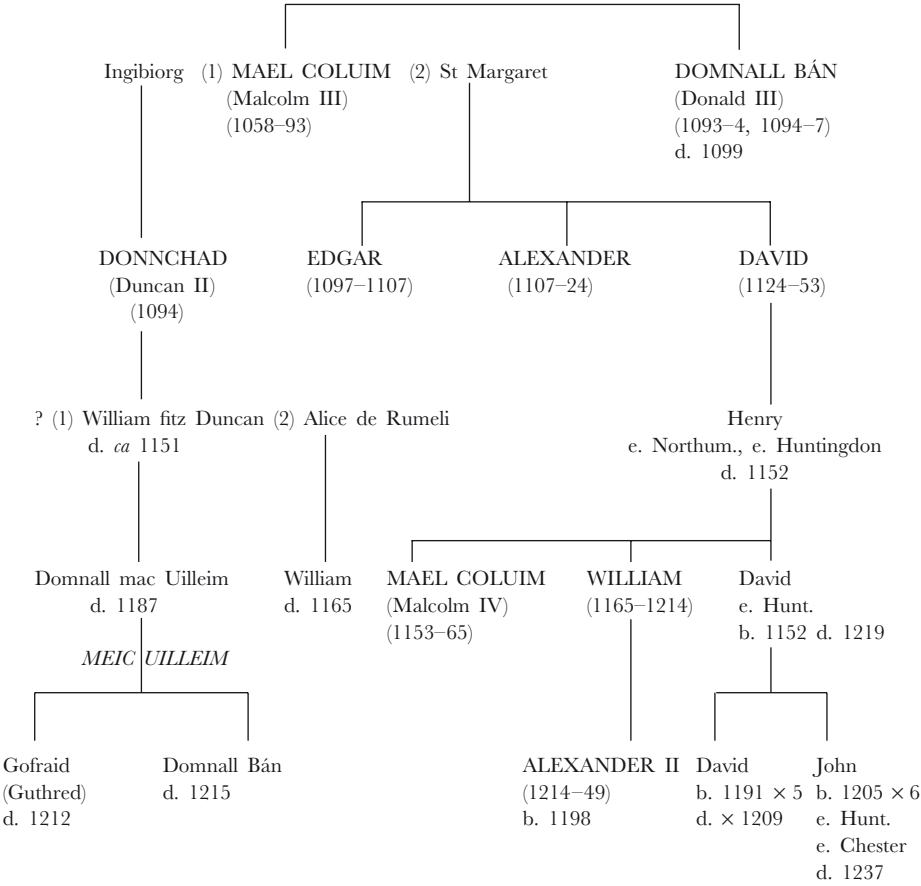
to the year 1209 extracted from the chronicle itself.⁶⁴ It may be inferred that these short unprepossessing texts were intended to encapsulate what was important in a way that could be referred to and assimilated quite readily. Seen in this light, the regnal list in folio 14 may bring us closer to what was generally known to monks of Melrose and to those most closely associated with them.

The Scottish kingship may have been on a more uncertain footing in the early thirteenth century than is sometimes appreciated. If Earl David had shared the brutal ambition of King John, or if the Meic Uilleim risings of 1211–12 and 1215 had succeeded in breaking out beyond Moray and Ross, then the kingdom's history could have been very different from the consolidation of the king's power and position in Scottish society that was ultimately achieved by Alexander II. It may be inferred from the two very different regnal lists discussed in this article, however, that a wide spectrum of the elite in the kingdom's heartlands identified themselves wholeheartedly with Alexander II and his lineage. Perhaps the earnest unity of purpose apparent at the very beginning of Alexander's reign may, with hindsight, be regarded as a crucial stage in the kingdom's development into a polity that would endure.⁶⁵

⁶⁴ It was written in two stages in the early thirteenth century by the same scribe (*ibid.*, lxi). The relationship of kings of Scots and kings of England was evidently another issue of concern for monks of Melrose in this period. On William I's relations with King John see the forthcoming paper by Professor Duncan (n. 18, above).

⁶⁵ I am very grateful to Professor Archie Duncan for reading drafts of this paper and giving me the benefit of his critical observations and suggested improvements. I am also very grateful to Dr Nerys Ann Jones for her constant encouragement and support. I am, of course, solely responsible for any blemishes which remain.

The royal lineage and its collaterals, 1058–1215.
Kings of Scots in capitals



PLATES



Fig. 1. Great Seal of Alexander II, showing the king enthroned in state.
(From Walter de Gray Birch, *History of Scottish Seals*)



Fig. 2. Arbroath Abbey, Angus. The assembly of Alexander's kinsmen and the Scottish magnates here in December 1214 for the funeral of William the Lion marked the opening of Alexander's offensive against the English king, John. (Oram)



Fig. 3. Bamburgh Castle, Northumberland. The chief stronghold of the earldom that Alexander regarded as his rightful inheritance, his failure to take Bamburgh weakened his grip on his northern English conquests. (Oram)



Fig. 4. Tomb effigy of Alan of Galloway, Dundrennan Abbey, Galloway. The greatest magnate of the first half of Alexander II's reign, Alan controlled an inheritance that stretched from Lauderdale and Cunningham, Ulster and Galloway, to the English Midlands. His power gave him a key role in moulding Alexander's policies in the maritime west. (Oram)



Fig. 5. Tomb effigy of an unknown abbot, Dundrennan Abbey, Galloway. With a dagger's hilts protruding from his left breast and his staff resting on the head of a partly disembowelled man, it has been suggested that this Cistercian abbot was a casualty of the political turmoil in Galloway which followed the death of Alan in 1234/5 and the forced partition of the lordship by the king. (Oram)



Fig. 6. Kildrummy Castle, Aberdeenshire. Control of such centres of power lay at the heart of Alexander's settlement of the long-running dispute over the succession to the earldom of Mar. (Oram)



Fig. 7. Peel Ring of Lumphanan, Aberdeenshire. While the Durwards lost the competition over the earldom of Mar, they received a substantial landed lordship between the Dee and the Don as compensation. Lumphanan, at the heart of that lordship, was one of many centres on which Alan Durward built his political dominance in the second half of Alexander's reign. (Oram)

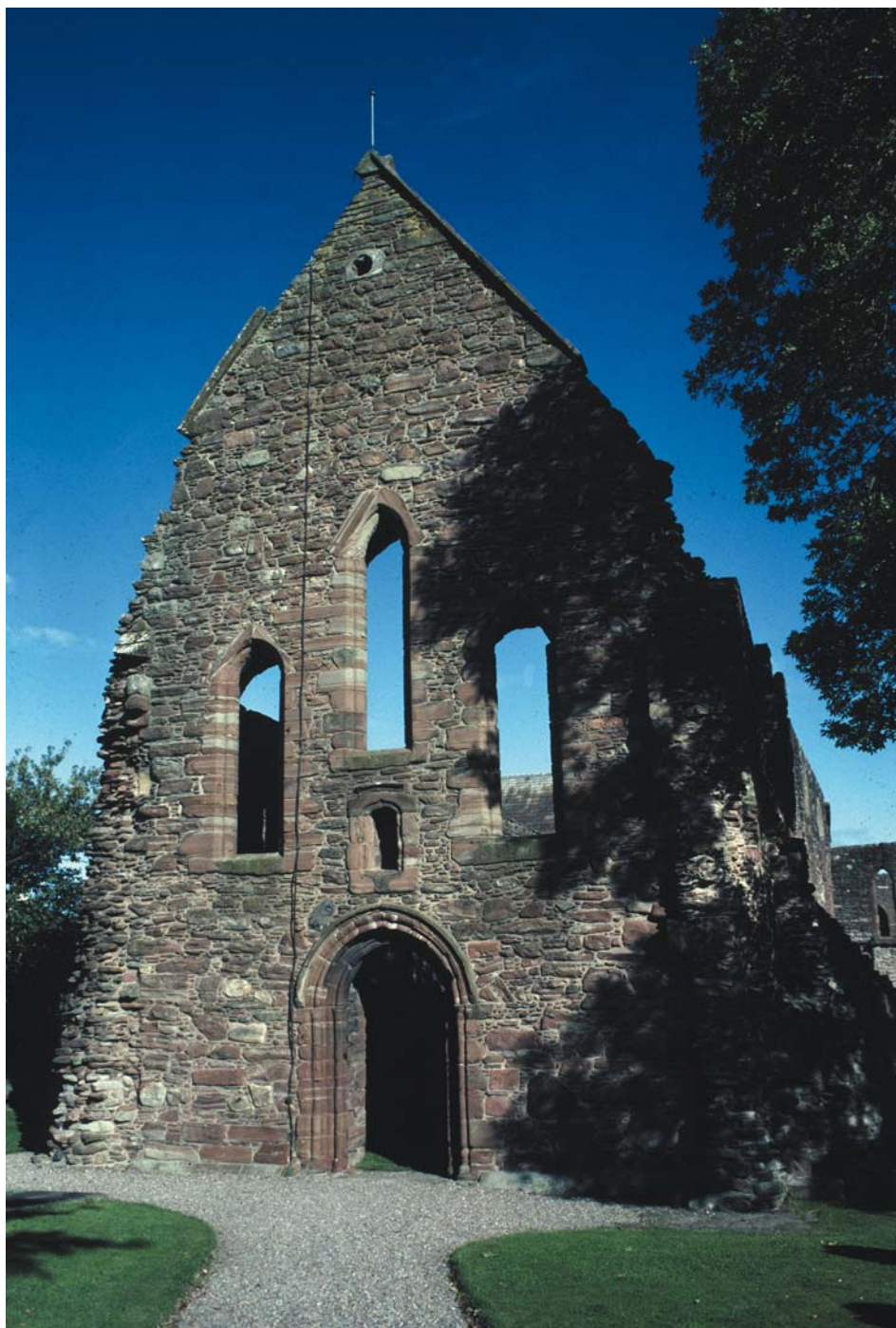


Fig. 8. Beaulieu Priory, Highland. For the Bisset family, there could have been no clearer demonstration of their closeness to Alexander II and their arrival in the social elite of the kingdom than the foundation of a Valliscaulian priory on their Inverness-shire estates, emulating Alexander's own recent foundation at Pluscarden. (Oram)



Fig. 9. Hermitage Castle, Borders. One factor in the Anglo-Scottish diplomatic crisis of 1243 was the alleged fortification of castles on the border by the Scots. It has been suggested that the earliest stages of building at Hermitage represent one of these provocative fortifications. (Oram)

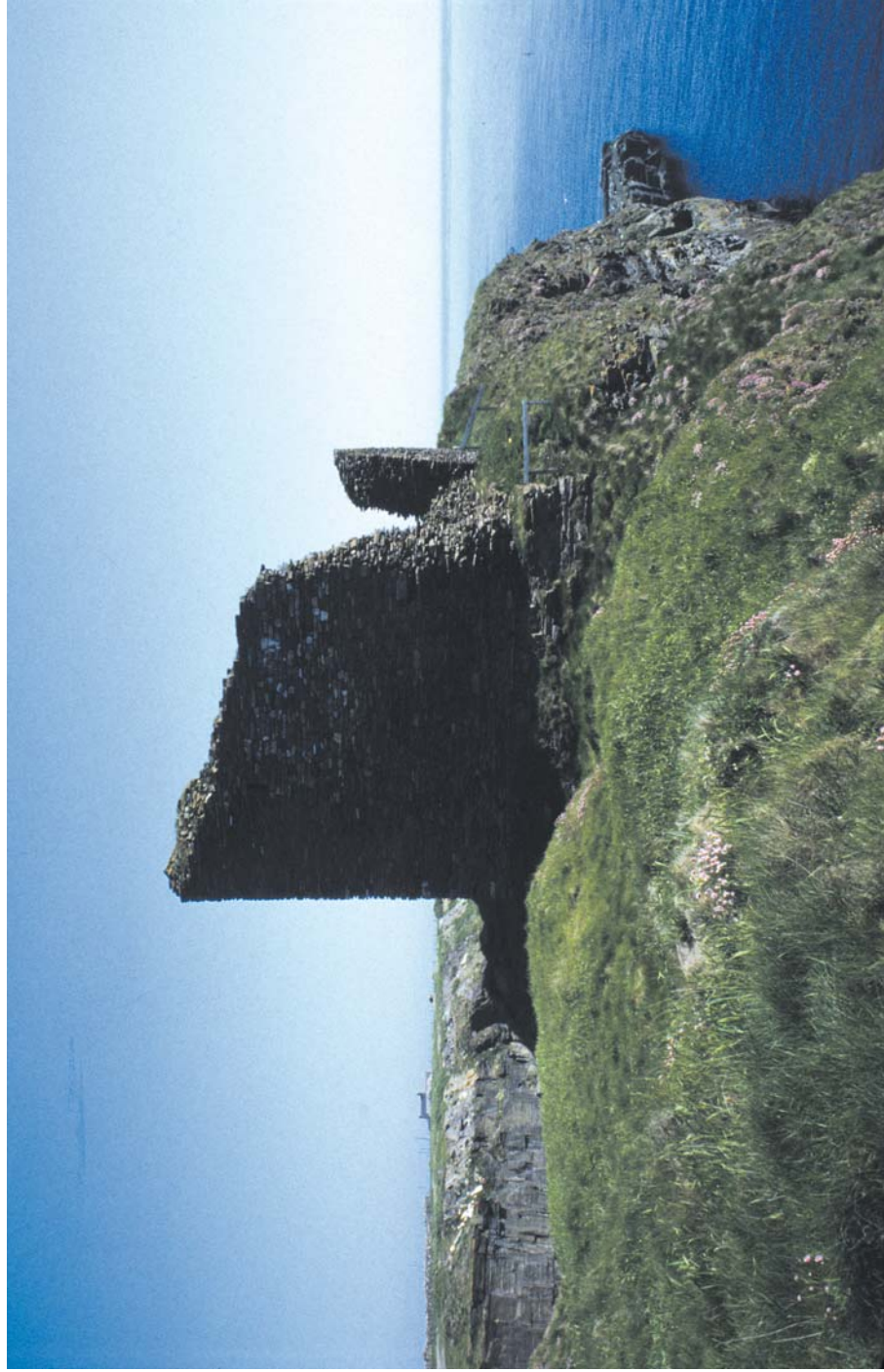


Fig. 10. Castle of Old Wick, Highland. For centuries, the lands and castles of the earls of Caithness and Orkney, such as the cliff-top stronghold at Wick, had lain beyond the effective reach of the Scottish crown. Alexander's successful campaign into Caithness in 1222 demonstrated beyond question how radically that position had changed. (Oram)



Fig. 11. Melrose Abbey, Borders. Alexander's devotion to the Church was more than mere posturing for political ends. Melrose, his great grandfather's greatest foundation, benefited significantly from Alexander's patronage and was his chosen burial place. (Oram)



Fig. 12. Seal of Scone Abbey showing inauguration of a Scottish king. (Facsimile image from *Liber Ecclesie de Scon*)



Fig. 13. Great Seal of Alexander II, showing the king mounted as an armoured knight. (From Walter de Gray Birch, *History of Scottish Seals*)



Fig. 14. Barnard Castle, Co. Durham. The Teesdale stronghold of John's leading northern loyalists, the Balliols, proved too strong for Alexander to capture. (Oram)



Fig. 15. Balmerino Abbey, Fife. Alexander maintained his family's established tradition of generous patronage of the Church. Cistercian Balmerino, however, which he founded in conjunction with his mother, Queen Ermengarde, was the king's last only new foundation of a community from the established monastic orders. (Oram)



Fig. 16. Pluscarden Priory, Moray. Founded by Alexander in 1230-1, possibly as a thanks-offering for the final elimination of the meic Uilleim line, the monastery was colonised by Valliscaulian monks, a new and particularly austere Burgundian order whose introduction to Scotland was symbolic of the king's search for a purer spirituality. (Oram)



Fig. 17. Great Seal of Alexander III, showing the lion rampant within the tressure on the king's shield and horse trappings. (From Walter de Gray Birch, *History of Scottish Seals*)



Fig. 18. Royal Arms of Scotland as used in the later Middle Ages. (19th-century facsimile from the *Registrum Monasterii de Cambuskenneth*]



Fig. 19. Forfar Castle, Angus. Almost overwhelmed by the modern houses and gardens that have encroached upon it, the site of Alexander's favoured residence at Forfar is marked by a modern battlemented tower which occupies the highest point of the hill which dominated the centre of his burgh. (Oram)

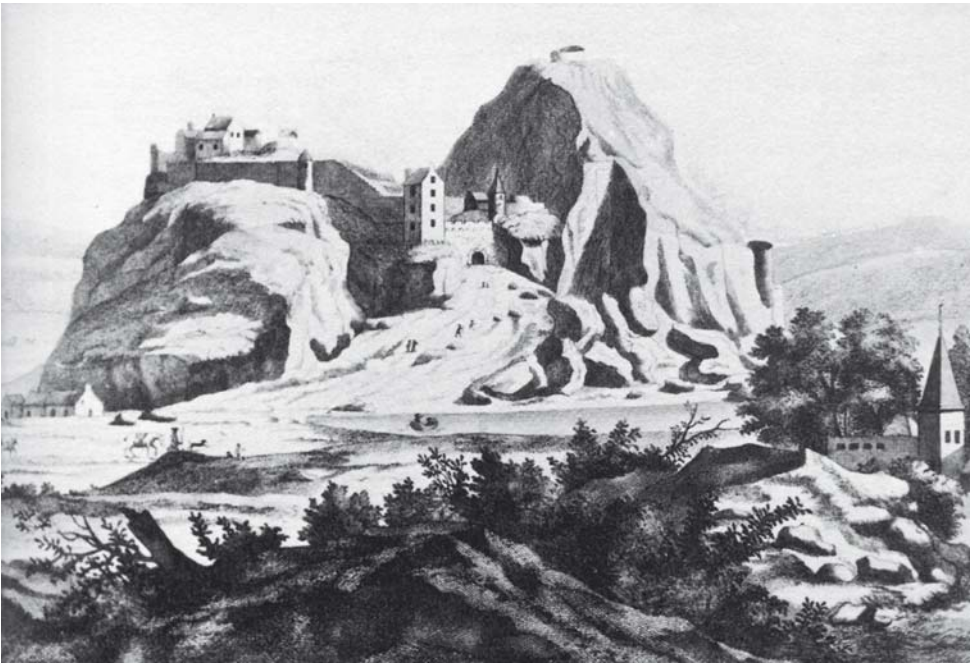


Fig. 20. Dumbarton Castle and Town from Johannes Slezer's *Theatrum Scotie*. The strategic fortress gave Alexander a springboard for his first campaigns in the west in the 1220s and 1230s, and its attendant burgh represented the westernmost extension of royal administration into the Highlands until the later 13th century. (Oram)



Fig. 21. Tarbert Castle, Argyll. Alexander's castle, the remains of which are buried in their own rubble and form the level platform on the right-hand side of the skyline, dominated the anchorage of East Loch Tarbert and controlled the portage route across the neck of Kintyre. Its strategic importance as a launch-pad for royal operations in the Isles led to its redevelopment by Robert I in the 14th and James IV in the late 15th centuries. (Oram)



Fig. 22. Rothsay Castle, Bute. Encouraged by the crown, the Stewarts had expanded their power into the Clyde islands – nominally subject to the Norwegian crown – in the later 12th century. Rothsay's expensive new stone-built castle underscored Stewart success and trumpeted Scottish encroachment. Its walls, however, proved to be no defence against the Norwegians in 1230. (Oram)

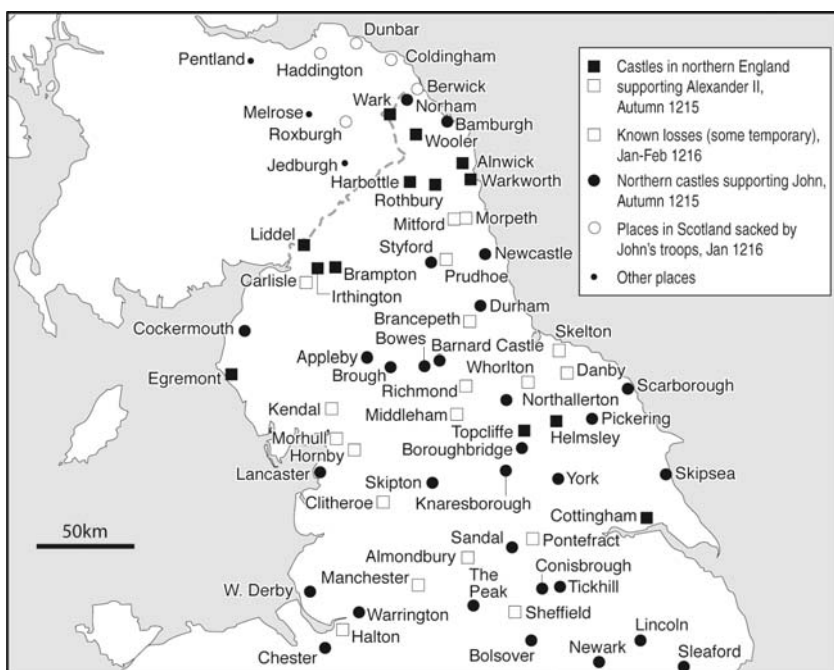


Fig. 23. Castle Tioram, Highland. The MacRuairidh island fortress on the Moidart coast was one symbol of a powerbase built on galleys, warriors and castles that made these heirs of Somairle powerbrokers in the maritime west. (Oram)

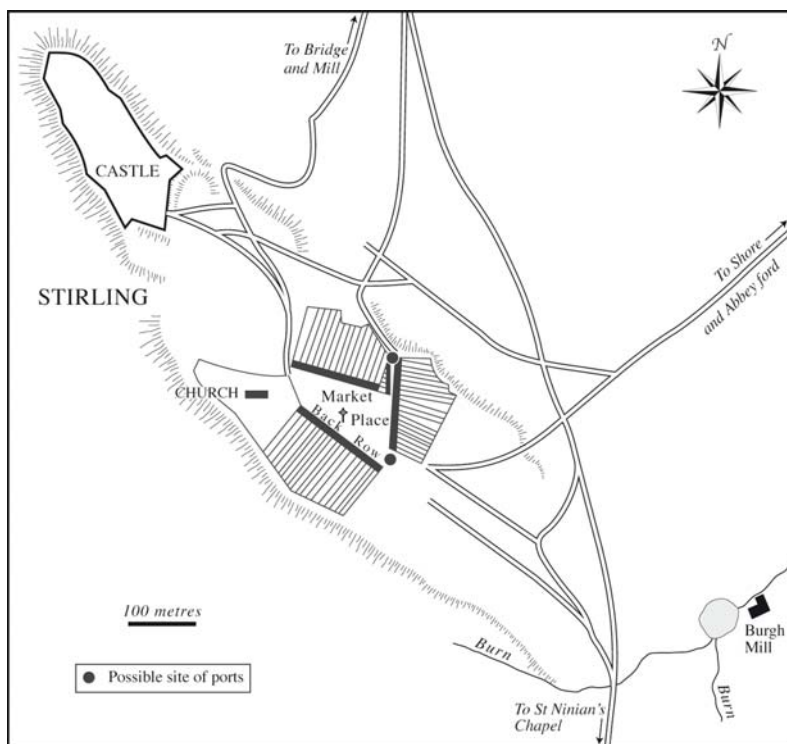


Fig. 24. Dunstaffnage Castle, Argyll. The chief fortress of the MacDougalls of Lorne was probably the intended target of Alexander's final campaign in July 1249. (Oram)

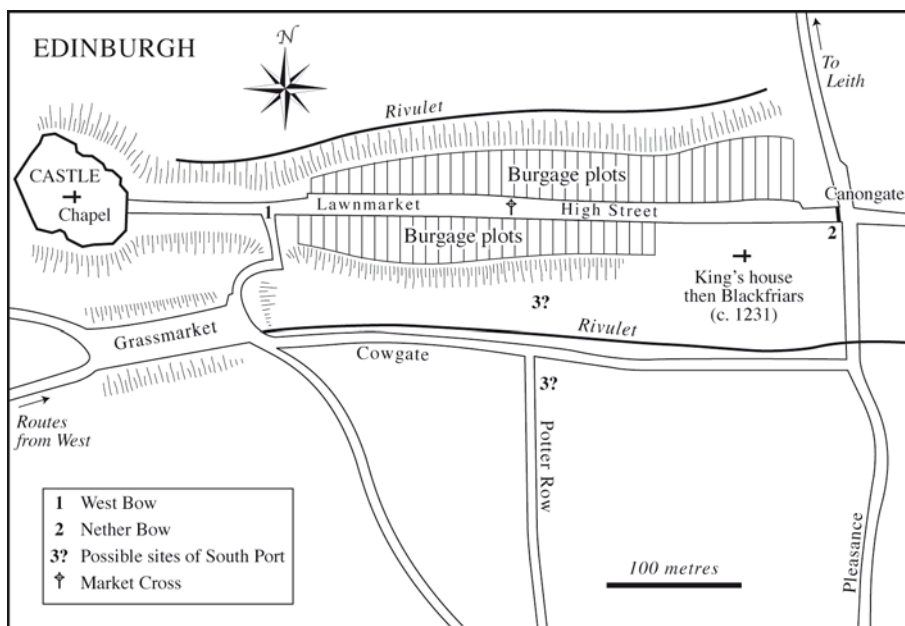
MAPS



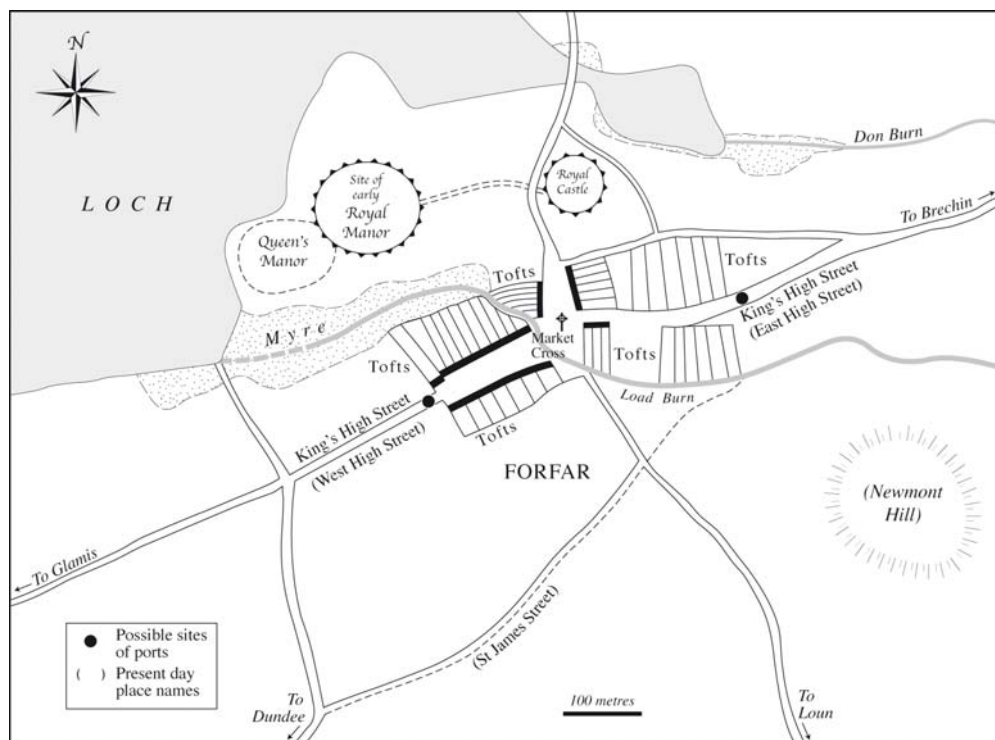
Map 1. Alexander at War, 1215-17.



Map 2. Plan of Stirling in the reign of Alexander II.



Map 3. Plan of Edinburgh in the reign of Alexander II.



Map 4. Plan of Forfar in the reign of Alexander II.

KINGSHIP, CONFLICT AND STATE-MAKING IN THE REIGN OF ALEXANDER II: THE WAR OF 1215–17 AND ITS CONTEXT

Keith J. Stringer

When the sixteen-year-old Alexander II succeeded his father William I (the Lion) in 1214, the groundwork for Scotland's emergence as a unified medieval nation-state had already been firmly laid. King John's England, one of thirteenth-century Europe's most advanced polities, was yet more patently 'close-meshed'.¹ Nevertheless, the contemporary 'British' political landscape was more complex and untidy than these assessments may suggest. There was then no country like today's Scotland, and no nation such as today's Scots. *Scotia*, 'Scotland', still denoted in its strictest sense the kingdom's east-midland heartlands; while the far west and north comprised a vast, largely unasimilated outer zone where any awareness of Scottish regnal loyalty and unity was limited at best.² Moreover, after the loss of his northern French lands in 1204, John's relentless power-building as 'just' an English king had gained for him by 1211–12 an unprecedented dominance within the British Isles, as the experiences of the native Welsh and Irish rulers amply indicated. Nor had William I escaped unscathed, and John had behaved as his overlord in all but name.³ Alexander's primary responsibilities as the new king of Scots were thus to uphold his rights against English ambitions and powers, and to reinforce his dominion by bringing outlying provinces more securely into the orbit of his influence and control. These imperatives were indeed closely linked, as had been underlined by John's successes in placing King Ragnvald of Man, and even Edgar son of Donald of

¹ A label borrowed from K.J. Leyser, *Medieval Germany and its Neighbours, 900–1250* (London, 1982), 266.

² D. Broun, 'Defining Scotland and the Scots before the Wars of Independence', in *Image and Identity: The Making and Remaking of Scotland through the Ages*, ed. D. Broun, R. Finlay and M. Lynch (Edinburgh, 1998), 4–17.

³ The fullest analysis is A.A.M. Duncan, 'John king of England and the kings of Scots', in *King John: New Interpretations*, ed. S.D. Church (Woodbridge, 1999), 247–71.

Nithsdale, under his direct lordship and protection.⁴ More importantly, in Scottish eyes the outer territories included the English Border counties, despite John's profound reluctance to countenance any such claim. 'British' politics therefore remained a competitive and uncertain world, a world in which the amount of power and authority to be enjoyed by the Scots king on the one hand and by the English king on the other was far from agreed. And that in essence is what brought the two kingdoms to war some ten months after Alexander's succession.

The Scoto-English war of 1215–17 is one of the largely forgotten conflicts of British history, and the reasons are not far to seek. Few Scottish government sources survive, though this deficiency is to a degree offset by the rich English documentation, quarried to outstanding effect in Sir James Holt's analysis of the concomitant rebellion in northern England against King John.⁵ Nonetheless, such an imbalance has scarcely encouraged historians to approach the war from the Scottish standpoint.⁶ There is also a dearth of chronicle material by comparison with the detailed and vivid accounts provided by Ailred of Rievaulx and the Hexham writers for David I's wars against King Stephen in the 1130s, and by Jordan Fantosme for William I's war against Henry II in 1173–4—though to the fragmentary narratives can now confidently be added contemporary Scottish annals embedded in the so-called *Gesta Annalia*, whose nature and importance have been more fully illuminated by the superb new edition of Walter Bower's *Scotichronicon*.⁷ Yet the main reason why the war tends to be dismissed in a few succinct phrases is the assump-

⁴ R.A. McDonald, *The Kingdom of the Isles: Scotland's Western Seaboard, c.1100–c.1336* (East Linton, 1997), 87; *CDS*, i, nos 523, 525.

⁵ J.C. Holt, *The Normans: A Study in the Reign of King John*, 2nd edn (Oxford, 1992).

⁶ A notable exception is A.A.M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1975), 521–5. See also Holt, *Normans*, 131ff.

⁷ See now D. Broun, 'A new look at *Gesta Annalia* attributed to John of Fordun', in *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland*, ed. B.E. Crawford (Edinburgh, 1999), 9–30; and A.A.M. Duncan, 'Sources and uses of the Chronicle of Melrose, 1165–1297', in *Kings, Clerics and Chronicles in Scotland, 500–1297*, ed. S. Taylor (Dublin, 2000), esp. 163ff, which concludes that *Gesta Annalia* drew heavily on a Cistercian chronicle kept at Coupar Angus Abbey. I have followed convention by citing the 'Fordun' text in *Chron. Fordun*, i, esp. 280–8 (translation at *ibid.*, ii, 275–83), but cross-references are given to the corresponding Bower text in *Chron. Bower*, v, 2–3, 78–97 (notes at 195–6, 224–35), with significant divergences indicated.

tion that it changed nothing. After all, in December 1217 Alexander meekly surrendered his war gains to the English crown in circumstances very different from David I's triumphs over Stephen—or, indeed, from Henry II's triumph over the captive William I, which subjected the Scots realm to fifteen years of official English high-kingship. And yet, despite appearances to the contrary, the war of 1215–17 did have far-reaching consequences. If more is to be learned about the 'making' of Scotland, not to mention the political configuration of medieval Britain as a whole, we must follow Alexander as he marched south.

First, however, the context for conflict needs to be clarified. With all the wisdom of hindsight, it is easy to see Alexander as a head-strong young king who embarked on opportunistic and futile campaigns against England, and thereby irresponsibly neglected the essential task of moulding Scotland into a unitary kingdom. But his regal duties, as these were perceived in 1215, urged and justified a different order of political priorities. He was required to assert and validate his kingship by avenging the humiliations inflicted on the realm by King John—including hostage-taking and the seizure of two of his sisters as political pawns 'contrary to the wishes of the Scots'.⁸ No less crucially Alexander, like his father and great-grandfather, had been brought up to believe—and to believe with an intensity that might often sideline, even jeopardise, other territorial claims and ambitions—that the Border shires belonged to the king of Scots 'by right of his patrimony'.⁹ David I had not only realised his prime aim of recovering Cumbria, but effectively ruled a greater Scoto-Northumbrian realm extending to the Ribble and the Tyne.¹⁰ The issue of the Border counties had also dominated William I's policies, and even the resounding Scottish defeat in 1174 did little to curb his persistence, as his repeated demands, requests and entreaties for their return serve only to underscore. Nor was any reminder needed that on Malcolm IV's surrender of the northern shires to

⁸ *Chron. Melrose*, 54.

⁹ Roger of Howden, *Chronica*, ed. W. Stubbs (Rolls Series, 1868–71), iv, 91.

¹⁰ See most recently K.J. Stringer, 'State-building in twelfth-century Britain: David I, king of Scots, and northern England', in *Government, Religion and Society in Northern England, 1000–1700*, ed. J.C. Appleby and P. Dalton (Stroud, 1997), 40–62; and G.W.S. Barrow, 'King David I, Earl Henry and Cumbria', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, xcix (1999), 117–27.

Henry II in 1157, the crown had lost some of its richest domains.¹¹ Relatedly, it is one thing to recognise that Scottish ambitions fluctuated according to the balance of forces and opportunity; another to suppose that David I's successors never aimed to recover his conquests as part of the Scots kingdom, and therefore set their sights no higher than regaining them under English suzerainty.¹² In reality so potent was the Davidian legacy that the time had not quite arrived when Scots kings would cease to regard these territories as rightfully Scottish—or indeed to treat them as such, for we will find Alexander in 1216–17 holding sway over Cumbria much as David had done.

On this perspective Alexander can hardly be blamed for ignoring his 'true' destiny as a northerner and westerner. Such censures would owe more to modern conceptions of 'Scotland' than to the aspirations and assumptions current at the time. Even among the English intelligentsia there might surface an awareness of the justification for Scottish claims, and of their potential for redrawing the boundaries of English power.¹³ And, furthermore, in October 1215 a war of southern expansion must have appeared much less reckless and ill-fated than it would do in retrospect, the hard lesson learned by William I in 1174 notwithstanding. Alexander was firmly established on the throne following the defeat of his dynastic rival, Donald MacWilliam; by contrast, John's regime seemed to be on the brink of collapse. As the Melrose chronicler laconically expressed it, 'astonishing things happened in England';¹⁴ but the fact remains that Alexander's war policy was shaped by more than mere opportunism alone. He fought for his dignity and rights, and sought thereby to uphold contemporary ideals of kingship, and of Scots kingship in particular. Or, to use the plain-spoken words attributed by Jordan Fantosme to William I, 'an honourable man must win his heritage'.¹⁵

¹¹ See esp. I. Blanchard, 'Lothian and beyond: The economy of the "English empire" of David I', in *Progress and Problems in Medieval England*, ed. R. Britnell and J. Hatcher (Cambridge, 1996), 23–45. It has to be accepted, however, that the silver mines of Carlisle at Alston and Nenthead, one of David I's most precious assets, had by 1215 declined substantially in value: cf. H. Summerson, *Medieval Carlisle: The City and the Borders from the late Eleventh to the Mid-Sixteenth Century* (Cumberland and Westmorland Antiquarian and Archaeological Soc. Extra Ser., 1993), i, 68.

¹² As in Duncan, 'John king of England', 250, 267–8.

¹³ E.g., Ralph de Diceto, *Opera Historica*, ed. W. Stubbs (Rolls Ser., 1876), i, 376; Matthew Paris, *Chronica Majora*, ed. H.R. Luard (Rolls Ser., 1872–83), iii, 373.

¹⁴ *Chron. Melrose*, 60.

¹⁵ *Jordan Fantosme's Chronicle*, ed. R.C. Johnston (Oxford, 1981), line 739.

What was the view from northern England itself? It cannot be doubted that from 1157 onwards the Border shires were embraced ever more tightly within the grip of metropolitan English governance.¹⁶ The intensification of its mastery was manifested in the marginalising of local nobles by the intrusion of court-based intimates and officials, and in the expansion of governmental routines and structures which by their nature integrated the region more completely within the kingdom. Even in 1173–4 most of the regional elite resisted any return to Scottish lordship by remaining solidly opposed to William I. Yet at no time was the impact of central control more thoroughgoing and exacting than it became under King John, with whom the Plantagenet administrative revolution truly arrived in the North. Thus it was that, as the English monarchy saw it, the northern periphery was shorn of much of the semi-independent character of a march society and irretrievably absorbed into the English state.

But this is scarcely the whole story. First of all, despite John's centralising successes and presumptions, by 1214 the ties of landholding and kinship criss-crossing the frontier were arguably more concentrated and influential than had been the case at any previous point since 1157. The Scots king himself retained a major role in English Border society as lord of the great liberty of Tynedale, which enveloped much of west Northumberland and extended into Cumberland to include Alston (albeit minus the royal silver mines). Moreover, this was a very privileged frontier regality effectively 'beyond the king of England's power'.¹⁷ Examples of trans-frontier attachments cultivated by Scottish magnates include those of Robert de Brus of Annandale, who was lord of Hartlepool and Hartness in County Durham, as well as Edenhall in Cumberland; of William Comyn, earl of Buchan, who had substantial interests in Tynedale; and of Earl Patrick of Dunbar, who held the Northumberland barony of Beanley and, in his wife's right, a terce of the Brus lands in both Annandale and Hartness.¹⁸ Nor was the frontier any less permeable

¹⁶ Holt, *Northerners*, esp. ch. 11; P. Dalton, 'The governmental integration of the far North, 1066–1199', in *Government, Religion and Society*, ed. Appleby and Dalton, 14–26.

¹⁷ As was affirmed during a lawsuit in 1234: *Curia Regis Rolls* (London, 1922–), xv, nos 960, 1259.

¹⁸ Respectively, A.A.M. Duncan, 'The Bruces of Annandale, 1100–1304', *TDGN-HAS*, 3rd ser., lxix (1994), 95; A. Young, *Robert the Bruce's Rivals: The Comyns*,

from the viewpoint of English Border lords. For instance, Nicholas de Stuteville of Liddel had married his elder son to a daughter of Alexander's chamberlain Philip de Valognes, and his younger son to a probable sister of Alexander's constable Alan of Galloway; while the patrimony of another Cumberland baron, Richard of Levington, apparently included Hutton in Dryfesdale (Dumfriesshire).¹⁹ Among the Northumberland baronage, Robert Bertram of Bothal had married Mabel, widow of Ralph de Clere of Mid Calder (Midlothian) and Cambusnethan (Lanarkshire);²⁰ Roger Bertram of Mitford, a direct descendant of David I's constable Hugh de Morville, had rights to lands in Lauderdale;²¹ and Robert de Muschamp of Wooler, whose mother hailed from Berwickshire, held lordship at Hassington under Earl Patrick of Dunbar.²² Roger de Merlay of Morpeth was both a kinsman of the Dunbars and the brother-in-law of Earl Malcolm of Fife, whose sister Ada he had married in 1188. He controlled in her name an estate at Kettle near Cupar, and their second son served in Scotland as Earl Patrick's estate steward.²³

1212–1314 (East Linton, 1997), 15–16, 26, 37, 44; and W.P. Hedley, *Northumberland Families* (Newcastle upon Tyne, 1968–70), i, 237, with *CDS*, i, no. 700.

¹⁹ *Early Yorkshire Charters*, ix, ed. C.T. Clay (Yorkshire Archaeological Soc., Record Ser., Extra Ser., 1952), 16, 20–1; K.J. Stringer, 'Periphery and core in thirteenth-century Scotland: Alan son of Roland, lord of Galloway and constable of Scotland', in *Medieval Scotland: Crown, Lordship and Community*, ed. A. Grant and K.J. Stringer (Edinburgh, 1993), 90. For Nicholas de Stuteville's gift to Soutra Hospital of two bushels of oatmeal yearly from his granary at Liddel, see *Charters of the Hospital of Soltre, of Trinity College, Edinburgh, and other Collegiate Churches in Midlothian* (Bannatyne Club, 1861), no. 6. His grandson and eventual heir Eustace, son of Sibyl de Valognes, occurs as a magnate of Scotland in 1237: *CDS*, i, no. 1655.

²⁰ Hedley, *Northumberland Families*, i, 192–3; G.W.S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980), 110. In 1214, after Robert Bertram's death, Mabel purchased the custody of Bothal barony during her son's minority, and in 1215–17 she rebelled: Holt, *Northerners*, 27.

²¹ Hedley, *Northumberland Families*, i, 27–8; *RRS*, ii, no. 65 ('Newtoun', now lost, in Lauder; cf. R.P. Hardie, *The Roads of Mediaeval Lauderdale* [Edinburgh, 1942], 84–5).

²² Robert de Muschamp's mother Matilda was the lady of Hassington; while his sister Gilia was married to William son of John of Hownam (Roxburghshire): A.M. Oliver, 'The family of Muschamp, barons of Wooler', *Archaeologia Aeliana*, 4th ser., xiv (1937), 256–7; also *CDS*, i, no. 438, for the thumping fine of 500 marks and 5 palfreys imposed on Matilda by King John in 1209 for the right to remarry freely, though not to one of his enemies.

²³ Hedley, *Northumberland Families*, i, 197; *Liber Cartarum Prioratus Sancti Andree in Scotia* (Bannatyne Club, 1841), 283. For Earl Patrick's steward, also called Roger de Merlay, see, e.g., Raine, *North Durham*, nos 122–3; and, for his tenancy in the earldom of Dunbar, at Stenton (East Lothian), *Melrose Liber*, i, no. 220. He unexpectedly succeeded to Morpeth barony in 1239.

Such ties must naturally have evoked memories of David I's Scoto-Northumbrian supremacy; some, indeed, had originated in his efforts to bind his conquests more securely to the Scots kingdom proper. Notable, too, was William I's maximising of his local influence by doggedly enticing influential Northerners into his court and allegiance. Specially important was his alliance with Robert de Ros of Wark-on-Tweed and Eustace de Vescy of Alnwick—leading magnates in Yorkshire as well as Northumberland—who became the king's dependants and close kinsmen when he honoured them with marriages to his illegitimate daughters. Robert was married at Haddington in 1191 to Isabel, who brought him Sanquhar barony in Nithsdale and a cluster of Tynedale manors; Eustace married Margaret at Roxburgh in 1193, and her dowry comprised Sprouston barony near Kelso.²⁴ Nor can we ignore the steady expansion of cross-frontier connections within the milieu of the lesser nobility and that of the Church.²⁵

The density of such linkages must not be overstated.²⁶ It would likewise be wrong to conclude that the far North displayed a 'continuum of instability' such as typified Normandy's borderlands until 1204. But both regions nevertheless exhibited a similar 'relativity and multiplicity of loyalty'.²⁷ As a rule this did not seriously jeopardise the Northerners' respect for Plantagenet authority. Yet, notoriously, John's reign provides a classic illustration of the limitations of the English state whenever it rode rough-shod over local sensitivities within its frontier territories. Not all Border barons were excluded from power and patronage, and two in particular, Hugh de Balliol and Robert de Vieuxpont, went on to give the English government sterling service in 1215–17. Such were the ambiguities of regional

²⁴ Hedley, *Northumberland Families*, i, 226, 231; W.D. Simpson, 'Sanquhar castle', *TDGNHAS*, 3rd ser., xxi (1939), 259–60. On the Vescys, see now K.J. Stringer, 'Nobility and identity in medieval Britain and Ireland: the de Vescy family, c.1120–1314', in *Britain and Ireland, 900–1300: Insular Responses to Medieval European Change*, ed. B. Smith (Cambridge, 1999), 199–239.

²⁵ For a broader exploration, see K.J. Stringer, 'Identities in thirteenth-century England: frontier society in the far North', in *Social and Political Identities in Western History*, ed. C. Bjørn, A. Grant and K.J. Stringer (Copenhagen, 1994), 28–66.

²⁶ The main Balliol and Bolbec lines should be deleted from the list of pre-1216 Anglo-Scottish landowners given in Holt, *Northerners*, 208–9.

²⁷ D. Bates, 'The rise and fall of Normandy, c.911–1204', in *England and Normandy in the Middle Ages*, ed. D. Bates and A. Curry (London, 1994), 19–35; quotations at 23–4.

politics and identity, however, that both belonged to families that had complex preferences and loyalties. Balliol, hereditary lord of Bywell and Barnard Castle, boasted a record of Plantagenet service dating from his war captain's role in Normandy in 1200–4. By contrast, two younger brothers took the Scottish route to advancement. One, Enguerrand, was lord of Inverkeilor (Angus) as well as Alan of Galloway's vassal for Urr near Dalbeattie, and would actively support Alexander in 1215–17.²⁸ Vieuxpont was a leading curialist who had been intruded into the Borders in 1203, when John recognised his right to the barony of Appleby or (north) Westmorland in full inheritance. But Robert's claim to Appleby rested on his descent as a grandson of Hugh de Morville, on whom David I had bestowed the lordship during the occupation of Cumbria; his step-brother William was a major landowner in Berwickshire and the Lothians; and his brother Ivo was an important cross-Border noble whose main estates were Sorbie in Galloway and Alston in Tynedale. Ivo also appears in John's service, as when in 1214 he and Robert had joint responsibility for provisioning Merpins castle in Angoulême. Nonetheless, in 1215–17 Ivo was to take the Scottish side.²⁹

It was therefore one of Alexander's inherited assets that the Scottish 'presence' in the English Borders was far from extinguished. That made his claims to the region seem more than purely theoretical, and helps to explain why such ambitions continued to be seriously entertained. More specifically, it facilitated and strengthened provincial resistance to John's authoritarian regime; and as discontent mounted, so the aggrieved increasingly identified themselves with Alexander as an obvious counterweight to Plantagenet oppression. It scarcely surprises that already in 1212 the first serious English protest against John had originated in the North, that Eustace de Vescy had led it, or that, on being outlawed for treason, he had taken refuge in Scotland under William I's protection for almost a year.³⁰ An unprecedented situation then emerged: in 1215 most Border barons and many other Northerners, led by two brothers-in-

²⁸ Stringer, 'Periphery and core', 112. Hugh de Balliol's younger brother Henry probably did not enter Alexander's service much earlier than his first appearance as chamberlain of Scotland in c.1220.

²⁹ *Ibid.*, 113; *Rotuli Litterarum Clausarum in Turri Londinensi asservati*, ed. T.D. Hardy (Record Commission, 1833–4), i, 170a.

³⁰ Stringer, 'Nobility and identity', 209, 228.

law of the Scots king—both Vescy and Ros—renounced their allegiance to the English king and precipitated the gravest rebellion England had yet seen. It is true that the baronial movement, however strongly regional in origin, was much less of a separatist revolt than first impressions might indicate. Nor was a Scots invasion the inevitable next step, for other ways of exploiting the crisis were initially pursued. Even so, it greatly increased Alexander's ability to challenge at the periphery the authority of the English monarchy; and it is easier to understand why he came to believe that duplicating David I's achievements would be less of an impossible dream than it actually proved to be.

Alexander, moreover, did not bear sole responsibility for deciding whether or not an English war was in the 'national interest'. He was obliged to rule by consultation; and as a teenage king he must have relied heavily on his chief courtiers' advice. Who were these familiars? *Gesta Annalia* makes fleeting references to the activities of the new king's court in 1214–15.³¹ Those closely involved in Alexander's inauguration at Scone (5 December 1214) included William Malveisin, bishop of St Andrews, and the earls of Fife, Strathearn, Angus, Atholl, Buchan, Dunbar and Menteith; his elderly uncle David, earl of Huntingdon and lord of Garioch, arrived the next day; and 'the nobility of the entire kingdom apart from a few nobles who guarded its frontiers' attended William I's burial at Arbroath (10 December). Alexander spent Christmas at Forfar, and on 6 January 1215 was at Stirling with his mother Queen Ermengarde and 'many nobles'. He then held a great council at Edinburgh where he formally reappointed the major officers of state. Shortly after, some malcontents withdrew from court at Haddington, but we are not told their names or why they were aggrieved.

Since the chronicle evidence peters out at this point, we must turn to Alexander's earliest written acts, whose witness-clauses have been analysed in an attempt to identify those leading confidants who influenced and approved of his decisions during the preliminaries to war and, indeed, the war itself (see Table 1, p. 153).³² His accession

³¹ *Chron. Fordun*, i, 280–1, 283; cf. *Chron. Bower*, v, 2–3, 78–81, where some details differ.

³² The other indispensable source for this paragraph is *RRS*, ii, passim. I am grateful to Dr Dauvit Broun for reminding me of the potential pitfalls of merely 'counting attestations'. As far as possible, however, the following conclusions have

saw no radical shift in key court personnel—save for the apparent eclipse of William I's favourite bastard, Robert of London. The young men associated with Alexander at William's court in its final years—notably Walter Comyn, Jordan Comyn and Robert de St Clair—gained greater prominence.³³ They no doubt entrenched themselves as Alexander's closest companions, and just possibly triggered the factional protest at Haddington. It may even be tempting to draw a parallel with court politics in 1173 when William's decision to fight Henry II was precipitated by the bravado of young knights, despite opposition from senior figures.³⁴ Yet there is no proof that hotheaded *juvenes* played such a role in Alexander's counsels, and much to suggest otherwise. There were perhaps tensions between 'hawks' and 'doves'.³⁵ But it remains the case that most of Alexander's main supporters in 1215–17 were highly experienced and responsible crown servants. Six were leading household officers inherited from his father: William del Bois (chancellor), Philip de Valognes (chamberlain), David and Hervey (marischals), Malcolm de la Hay (butler), and Thomas of Lundie (chief doorward). The last two seem to have been rarely at court before 1215. But William del Bois had become chancellor in 1211 after some twenty years' dedicated service as a royal clerk; while the aged Philip de Valognes had been at the hub of Scottish policy-making from the mid-1160s onwards. On Philip's death in November 1215 his office was filled by his son William who, like two other important figures at Alexander's earliest courts, Walter of Lindsey and Philip de Mowbray, had begun to witness royal acts in

taken into account the methodological reservations expressed in D. Bates, 'The prosopographical study of Anglo-Norman royal charters', in *Family Trees and the Roots of Politics: The Prosopography of Britain and France from the Tenth to the Twelfth Century*, ed. K.S.B. Keats-Rohan (Woodbridge, 1997), 89–102.

³³ The youthfulness of some of Alexander's adherents was noted by a contemporary English chronicler: *Memoriale fratris Walteri de Coventria*, ed. W. Stubbs (Rolls Ser., 1872–3), ii, 229.

³⁴ *Fantosme's Chron.*, lines 378–407, with discussion in M. Strickland, 'Arms and the men: war, loyalty and lordship in Jordan Fantosme's *Chronicle*', in *Medieval Knighthood IV: Papers from the Fifth Strawberry Hill Conference, 1990*, ed. C. Harper-Bill and R. Harvey (Woodbridge, 1992), 209–15.

³⁵ *Chron. Bower*, iv, 470–1, specifically refers to a pro-King John faction at William I's court, and Robert of London—one of John's pensioners—may well have belonged to it. But, according to *Gesta Annalia*, the split at Haddington occurred several months before Alexander finally committed himself to war, and the participants and their grievances remain unknown. In any event, a simple explanation for Robert's curtailed role in public life is suggested by the serious illness he complained about in letters of c.1219: CDS, i, no. 746.

the 1190s. John of Maxwell, a former sheriff of Roxburgh and a future royal chamberlain, had attended on William I from c.1208. The leading magnate advisers in 1215–17 were Earl Malcolm of Fife and William Comyn, earl of Buchan. Malcolm had frequented William I's court in his youth, may well have been educated there, and had remained close to the king after succeeding to Fife in 1204. Comyn, an attestor of royal charters from c.1178, was one of the crown's ablest and most influential agents.

It is certainly significant that many of these men had personal reasons for seeking revenge against the English monarchy and John in particular. Nine represented families which had handed over hostages to Henry II under the treaty of Falaise (1174); two, William Comyn and Philip de Mowbray, had surrendered sons as hostages to John under the treaty of Norham (1209).³⁶ There were also painful memories of recent legal setbacks in the English courts. The Lindsey family nursed unrealised claims to manors in the Cumberland baronies of Allerdale and Copeland; and in 1214 Philip de Valognes's daughter Sibyl had failed to secure her designated dower in the Stuteville inheritance in Cumbria, Yorkshire and Warwickshire.³⁷ Philip himself had been involved in a gruelling and expensive campaign to establish his right to his late brother Geoffrey's lands, in Northumberland and four other shires, against the counter-claims of his (and Geoffrey's) niece Gunnora and her husband Robert fitz Walter. He had paid £100 for seisin in 1190; but in 1208, pursued by actions of *mort d'ancestor* heard *coram rege*, he was obliged to make a new and more substantial proffer of 300 marks, ten palfreys and two hounds. Even then, he evidently failed to secure all Geoffrey's estates.³⁸ Similarly, a few examples can be given of leading Scots outside the immediate royal circle whose experience of John's high-handedness was plain for all to note. Fulk de Soules of Liddesdale

³⁶ *Anglo-Scottish Relations, 1174–1328: Some Selected Documents*, ed. E.L.G. Stones (repr. Oxford, 1970), no. 1; *CDS*, i, no. 574.

³⁷ *Ibid.*, nos. 194, 241; *Early Yorks. Chrs.*, ix, 17.

³⁸ The main sources are: *Pipe Roll 2 Richard I*, 111; *Curia Regis Rolls*, v, 156–7, 171, 179, 317; *Rotuli de Oblatis et Finibus in Turri Londinensi asservati*, ed. T.D. Hardy (Record Commission, 1835), 424–5, 428. An incomplete summary is in *Final Concords of the County of Lancaster*, ed. W. Farrer (Lancashire and Cheshire Record Soc., 1899–1910), i, 31–2. Interestingly, by 1208 Philip, as Geoffrey's heir, had granted the manor of Farleton (Lancashire) to Hugh of Morwick, lord of Chevington (Northumberland): *Rot. de Obl.*, 425.

needed no reminding that John had put his family out of the manors of Newby (Westmorland) and Thornton Bridge (Yorkshire) for failure to pay a fine of £100 for breach of the royal forest law.³⁹ In 1212 Earl Patrick of Dunbar had to offer 100 marks and a palfrey for Beanley barony, 'whereof he was disseised by the king's precept'.⁴⁰ To add insult to injury, Patrick's daughter Ada was snapped up in marriage by William de Courtenay, one of John's household knights.⁴¹ Last but not least, Alan of Galloway, the heir to the Morville estates in Scotland, had seen his claim to the old Morville barony of Westmorland overridden by John's grant of the lordship to Robert de Vieuxpont.⁴²

Individual grievances of this sort undoubtedly reinforced hostility to John, and gave some a strong material incentive for supporting war. But Scottish decision-making was scarcely shaped by such considerations alone. What distinguished Alexander's court was the presence within it of men who had deservedly earned his father's trust for their devotion to advancing Scottish interests. Philip de Valognes and William Comyn were both trained in the tough school of Scoto-English diplomacy, and closely associated with William I's policy of refraining from overbold provocation of John. Comyn had also served as justiciar of Scotia since c.1205, as an army commander alongside Thomas of Lundie against the MacWilliams in Ross in 1211, and—in succession to Earl Malcolm of Fife—as governor of Moray in 1212.⁴³ Such seasoned advisers were scarcely renowned for giving rash counsel; they were hard-headed realists, and the same may well apply to at least one of Alexander's 'new men', Walter Comyn.⁴⁴

³⁹ T. M'Michael, 'The feudal family of de Soulis', *TDGNHAS*, 3rd ser., xxvi (1949), 166; *Yorkshire Inquisitions of the Reigns of Henry III and Edward I*, ed. W. Brown (Yorkshire Archaeological Soc., Record Ser., 1892–1906), i, 267. The Yorkshire lands were estimated as worth £60 in 1218: *Rot. Litt. Claus.*, i, 384b.

⁴⁰ *CDS*, i, no. 502. Shortly before his unexplained forfeiture, Earl Patrick had failed to recover three townships in Northumberland lost as a result of the war of 1173–4: J.C. Holt, *Magna Carta*, 2nd edn (Cambridge, 1992), 136–7.

⁴¹ S.D. Church, *The Household Knights of King John* (Cambridge, 1999), 88, n. 83, ignores the fact that Ada was Earl Patrick's daughter, in whose right William de Courtenay got possession of Hume (Berwickshire): K.J. Stringer, *Earl David of Huntingdon, 1152–1219: A Study in Anglo-Scottish History* (Edinburgh, 1985), 197.

⁴² Stringer, 'Periphery and core', 90.

⁴³ Young, *Robert the Bruce's Rivals*, 21–2; *Chron. Bower*, iv, 448–51, 466–7; *RRS*, ii, no. 488.

⁴⁴ Described in adulthood by *Gesta Annalia* (normally an anti-Comyn source) as 'a man far-seeing in his counsel': *Chron. Fordun*, i, 293 (= *Chron. Bower*, v, 290–1).

Earl David of Huntingdon's presence at Alexander's inauguration feast in December 1214 no doubt helped to familiarise the Scottish court with England's deepening political crisis.⁴⁵ During the next critical months debate about how best to profit from the complex cross-currents of English politics was probably continuous and certainly protracted, for Alexander's declaration of war was anything but a rushed decision. Eustace de Vescy joined Earl Malcolm of Fife, Walter of Lindsey, John of Maxwell, Philip de Mowbray and others recorded as in attendance on Alexander at Clunie in Stormont on 1 March 1215.⁴⁶ That he left England at such a crucial moment indicates the premium placed by the Northerners on enlisting Scottish support; nor can it escape notice that on the day before Eustace is found at Clunie, his clerk John of Ferriby had arrived in Rome to urge Pope Innocent III to compel King John to restore his kingdom's ancient liberties.⁴⁷ On 3–4 April, Earl Saer de Quincy attended Alexander's court at Edinburgh.⁴⁸ His deep roots in Scotland, where his main ancestral estates lay at Leuchars (Fife) and Tranent (East Lothian), had not prevented him from becoming one of John's intimates and earning the rich reward of a marriage to one of the Beaumont heiresses, in whose right he had been created earl of Winchester in 1207. Nevertheless, Saer had kept up his Scottish ties, which he now sought to exploit as he distanced himself from John's regime and followed the path to rebellion.⁴⁹ Another leading baronial dissident, and a landowner in Roxburghshire, was Robert de Vere, earl of Oxford. It is possible that he, too, visited Scotland early in 1215 to solicit support.⁵⁰

⁴⁵ Earl David's last recorded appearance at the English court was on 23 Aug. 1213; but the justiciar, Peter des Roches, had ordered him to attend a meeting at London in Aug. 1214 'concerning the business of the lord king and his kingdom': Stringer, *Earl David*, 51.

⁴⁶ British Library, London, MS Additional 33,245, fo. 44r.

⁴⁷ C.R. Cheney, *Pope Innocent III and England* (Stuttgart, 1976), 367–8.

⁴⁸ *Melrose Liber*, i, no. 174; ii, no. 366.

⁴⁹ Probably in 1209, while on embassy to Scotland from John's court, Earl Saer had quitclaimed to Holyrood Abbey all his right in the church of Tranent 'for the salvation of my lords, the kings of Scots': *Liber Cartarum Sancte Crucis* (Bannatyne Club, 1840), no. 37, with *Chron. Bower*, iv, 450–1, and *RRS*, ii, no. 479. Of similar date are his charters in *Registrum Monasterii S. Marie de Cambuskenneth* (Grampian Club, 1872), nos. 70 (1207 × 1211), 73 (1207 × 1213).

⁵⁰ *Facsimiles of the National Manuscripts of Scotland* (London, 1867–71), i, plate 55 = *Melrose Liber*, i, no. 256, is a charter by Earl Robert, Oct. 1214 × Oct. 1221, recording that at Melrose Abbey, in the convent's presence, he had granted to the monks

But when civil war first erupted in England early in May 1215 Alexander held back. The rebels had agreed a truce by the end of the month, and events perhaps moved too fast for Scottish mobilisation. Yet Alexander and his advisers must also have taken into account the concentration of John's opponents (including the North-erners) in their Northampton and London headquarters, the fact that many English barons still remained politically undecided, and the thoroughness of John's preparations for war. Moreover, it was not until June that Donald MacWilliam was finally brought to heel. All told, Scottish policy at this juncture was commendably cautious; and, clearly, a judicious consensus had emerged that favoured playing off one party against the other in the expectation of securing attractive concessions.

This brings us to the detailed bargaining leading up to the issue of Magna Carta in mid-June 1215. Strikingly, one of John's negotiators was Alan of Galloway, who in the Charter's preamble appears among the king's twenty-seven named counsellors on whose advice it was granted. It does not follow that Alan concerned himself solely with protecting John's position. Rather, the presence among John's faithful men of the 'constable of Scotland'—as Magna Carta's scribe respectfully described him—signified that Alexander still hoped for a deal with the English crown.⁵¹ No less remarkably, Saer de Quincy was the chief baronial negotiator at Runnymede.⁵² Two key actors in this landmark constitutional event, positioned on either side of the political divide, were thus committed to advancing Alexander's inter-

4 acres of arable in the territory of Old Roxburgh, and given them possession by placing a rod on the altar of the abbey church. The precise origin of Robert's Roxburghshire interest is unknown; but an important clue is provided by Ralph de Vere, who had been captured with William I at Alnwick in 1174, and occurs by 1195 as a proprietor at Sprouston, 5 miles from Old Roxburgh: *RRS*, ii, no. 306. This Ralph was probably Earl Robert's (much older) brother or half-brother, their father being Aubrey de Vere, first earl of Oxford, with whom David I had been temporarily allied in Stephen's reign. See *Cartularium Prioratus de Colne*, ed. J.L. Fisher (Essex Archaeological Soc., Occasional Publications, 1946), no. 37 (for the future Earl Robert and his brother Ralph), and *Kelso Liber*, i, no. 215 (for Robert brother of Ralph de Vere of Roxburghshire).

⁵¹ In other words, too much should not be read into the fact that Alan was John's vassal for broad lands in Ulster: see Stringer, 'Periphery and core', 82ff, and (for his role in 1215) 89. Moreover, since in conformity with Alexander's policy Alan was not yet a rebel, the only role he could have played at Windsor/Runnymede was from within John's camp. (The opposition barons did not renew their allegiance until after Magna Carta had been sealed.)

⁵² Holt, *Magna Carta*, 291.

ests as far as circumstances permitted—and that was surely something of a triumph for Scottish diplomacy.

Their influence on Magna Carta is reflected in cap. 59: 'We will treat King Alexander concerning his sisters, the return of hostages, and his liberties and rights in the same manner as we will act towards our other barons of England, unless it ought to be otherwise because of the charters we have from King William his father; and this shall be determined by the judgement of his peers in our court.' This clause differs from its counterpart in the Articles of the Barons (cap. 46)—Alexander's sisters are mentioned for the first time, and secular judgement is offered instead of ecclesiastical arbitration. But such are the difficulties of interpretation that it has been characterised, at one extreme, as smacking of 'judicial highhandedness' and, at the other, as an essentially dispassionate acknowledgement of Alexander's right to justice, especially concerning the Border counties.⁵³ What is clear, however, is that for all his difficulties John conceded the basic minimum, as a comparison with the Welsh clauses in the Charter graphically underlines.⁵⁴ Nonetheless, Alexander's grievances were formally registered, and John at once made conciliatory gestures to individual Scottish nobles under the Charter's general provisions concerning those arbitrarily dispossessed. He returned Fotheringhay castle to Earl David, and reinstated his son Henry in land at Godmanchester, confiscated 'by our will and without judgement'. Robert de Brus got back the manor of Elton and the right to hold a market and fair at Hartlepool. Even Eustace de Vescy recovered the privilege of hunting with his dogs in the forest of Northumberland.⁵⁵ On 7 July Alexander sought to advance matters by sending letters of credence from Kelso to inform John that he had appointed Bishop Malveisen of St Andrews, Enguerrand de Balliol, Walter of Lindsey, John of Maxwell, Philip de Mowbray and Robert de St Germain, with full authority to negotiate 'as to our business against you to be transacted in your court'.⁵⁶

⁵³ Respectively, R.R. Davies, *Domination and Conquest: The Experience of Ireland, Scotland and Wales, 1100–1300* (Cambridge, 1990), 105; and Duncan, 'John king of England', 266–7.

⁵⁴ J.B. Smith, 'Magna Carta and the charters of the Welsh princes', *English Historical Review*, xcix (1984), 344–62, is obligatory reading.

⁵⁵ *CDS*, i, nos. 622–4; *Rot. Litt. Claus.*, i, 216a.

⁵⁶ *Rotuli Litterarum Patentium in Turri Londinensi asservati*, ed. T.D. Hardy (Record Commission, 1835), 150a.

They came south for the Oxford meeting between John and the barons in mid-July; but it proved to be a futile journey.

Why Magna Carta—that ‘highly successful total failure’⁵⁷—did not settle the issue between John and the baronial opposition need not detain us. But why did Alexander go to war on 19 October 1215 when he had remained neutral five months earlier? The Scottish army must have been called out immediately after the resumption of hostilities in England about mid-September. Even at this late stage, however, the decision to mobilise cannot have been taken lightly, for John remained a very formidable opponent. He had redoubled his efforts to recruit foreign mercenaries and strengthen his castles, and had also secured the unequivocal support of Innocent III. True, the Pope’s famous letter cancelling Magna Carta was still *en route* to England; but Alexander can scarcely have doubted that war would set him on a collision course with Rome. John’s submission to the papacy in 1213 had brought England into St Peter’s patrimony and under the special protection of the Apostolic See. So it was that in October 1213 Innocent III had written expressly to both William I and Alexander stressing his duty as England’s overlord to defend its king and his realm, and commanding them to remain loyal to John and his heirs.⁵⁸ More seriously, on 7 July 1215 Innocent wrote to his agents in England ordering them to denounce and punish all ‘disturbers of the king and kingdom of England, together with their associates and supporters’. On 5 September the Pope’s commissioners duly published a general sentence of excommunication against all evil-doers and cited by name the leading baronial dissidents, including Saer de Quincy and Eustace de Vescy, whose lands were also laid under interdict.⁵⁹

⁵⁷ J. Gillingham, ‘Magna Carta and royal government’, repr. in his *Richard Coeur de Lion: Kingship, Chivalry and War in the Twelfth Century* (London, 1994), 201–9, at 201.

⁵⁸ *The Letters of Pope Innocent III (1198–1216) concerning England and Wales*, ed. C.R. Cheney and M.G. Cheney (Oxford, 1967), no. 932. This letter is lost, but for its terms cf. *ibid.*, no. 931, and, more fully, *Selected Letters of Pope Innocent III concerning England (1198–1216)*, ed. C.R. Cheney and W.H. Semple (London, 1953), no. 57.

⁵⁹ *Ibid.*, no. 80; *English Episcopal Acta IX: Winchester 1205–1238*, ed. N. Vincent (Oxford, 1994), no. 100. Bishop Malveisin was probably entrusted by Alexander with the thankless task of attempting to justify Scottish aggression to Innocent III when he attended the Fourth Lateran Council (*Chron. Melrose*, 61). Even if he arrived for the Council’s opening session (11 Nov. 1215), it is a fair assumption that he did not leave Scotland until after Alexander had decided on war.

On the other hand, however, the military balance had perceptibly shifted since early in May. The Northerners were now a more effective opposition, so much so that England's Border defences must have looked far more vulnerable than they had done to William I in 1173, or even to David I in 1135. On the eve of Alexander's invasion, the ratio of loyal to rebel (or rebel-disposed) castles in England north of the Trent was approximately one to one (see Map 1).⁶⁰ John was sure of the mighty Yorkshire fortresses of Scarborough, Pickering, Knaresborough and Skipton. In Westmorland Robert de Vieuxpont held Appleby and also Brough, with its new keep and gatehouse, and had begun to build another major castle at Brougham, specifically to meet the threat of Scottish attack.⁶¹ Yet, apart from Cockermouth, the other key Cumbrian fortifications—including the great stronghold of Carlisle, controlled by none other than Robert de Ros—supported the baronial cause. Once such castles had been northern England's first line of defence; now they offered Alexander rich opportunities to impose his territorial mastery. In the North-East, the position was more favourable to John, whose captains occupied the crucial strengths of Norham, Bamburgh, Newcastle and Durham. But in Northumberland as in Cumberland so widespread was the revolt that few local nobles were loyal. Some of the rebel-held castles, like all those available to Alexander in Tynedale, had no stone towers or walls. But, as William I had learned to his cost in 1173–4, Alnwick (Vescy), Prudhoe (Umfraville) and Wark-on-Tweed (Ros) were first-rate aristocratic strongholds; by 1215 Mitford (Bertram) and Warkworth (John fitz Robert), and perhaps Harbottle (Umfraville) and Morpeth (Merlay), belonged to the same

⁶⁰ Map 1 is based on the material mapped in K.J. Stringer, 'Anglo-Scottish relations: Alexander II, 1214 to 1217', in *Atlas of Scottish History to 1707*, ed. P.G.B. McNeill and H.L. MacQueen (Edinburgh, 1996), 83. In general only the more important castles are shown, the basic guide being D.J.C. King, *Castellarium Anglicanum: An Index and Bibliography of the Castles in England, Wales and the Islands* (London, 1983). Information on a castle's political allegiance is drawn from Holt, *Northerners*, esp. ch. 8, supplemented where necessary by published English government records.

⁶¹ H. Summerson, *Brougham and Brough Castles, Cumbria* (English Heritage, 1999), 4, 30; H. Summerson, M. Trueman and S. Harrison, *Brougham Castle, Cumbria: A Survey and Documentary History* (Cumberland and Westmorland Antiquarian and Archaeological Soc., Research Ser., 1998), 9–10. Brougham, however, is not on Map 1 because it apparently remained unfinished and indefensible until after the war; nor is Vieuxpont's Westmorland castle of Mallerstang (Pendragon) since it, like Brougham, is not mentioned in the sources until 1228: *ibid.*, 10; *CDS*, i, no. 998.

class.⁶² The Northerners were also consolidating their own alternative local administrations. Robert de Ros himself controlled the shrievalty of Cumberland, and was likewise flexing his muscles as the baronial sheriff of Yorkshire.⁶³ Additional intelligence of simultaneous risings in midland and southern England brought Alexander the welcome news that John could not concentrate his forces in the North; and perhaps the English rebels had already promised to subsidise Scottish offensives by depositing large sums of money at the New Temple in London.⁶⁴ For all that the Scots misjudged the powerful resources still at the English crown's disposal, they had got a war that must have looked very different from what Jordan Fantosme had regarded as William I's 'disastrous folly'.⁶⁵ Add in the elimination of the MacWilliam threat, and the decision to fight could scarcely have been better timed.

Basic also, of course, was Innocent III's annulment of Magna Carta and any obligations arising from it. Although this news would not have reached Alexander until late September or early October, it cannot have surprised. On 5 September the Pope's agents had forthrightly condemned the Runnymede settlement. Earlier still, Scottish distrust of John had hardly been allayed by the experience of Alexander's envoys at the abortive Oxford council of 16–23 July when, as the Melrose chronicler put it, John 'contested the articles of peace and so the barons departed in great bitterness'.⁶⁶ John's unyielding resolve to uphold his royal rights and dignity, or—in the terminology of *Gesta Annalia*—his 'false promises and repeated wrongs',⁶⁷ left Alexander with the stark choice of utter humiliation or armed intervention. Moreover, the barons quickly played the Scottish card by offering him what John would not. In sum, on all fronts the reasons for waging war were now more compelling than those for preserving peace.

⁶² King, *Castellarium Anglicanum*, ii, 323ff; C.H. Hunter Blair, 'The early castles of Northumberland', *Archaeologia Aeliana*, 4th ser., xxii (1944), 116–68. Like Carlisle itself, Alnwick, Prudhoe and Wark-on-Tweed had all been besieged unsuccessfully by the Scots in 1173–4.

⁶³ Holt, *Northerners*, 122; Holt, *Magna Carta*, 357–8, 364, 499–500.

⁶⁴ Duncan, *Making of the Kingdom*, 521; but see differently Holt, *Northerners*, 132 and n. 3.

⁶⁵ *Fantosme's Chron.*, line 678.

⁶⁶ *Chron. Melrose*, 60; cited in Holt, *Magna Carta*, 367.

⁶⁷ *Chron. Fordun*, i, 283 (= *Chron. Bower*, v, 82–3).

What, then, were Alexander's precise war aims? Inevitably these were partly dictated by the terms his English allies offered in the critical weeks of September and early October. The pertinent diplomatic correspondence was itemised in inventories of the Scottish royal archives in 1282 and 1291.⁶⁸ Some entries are terse in the extreme: for example, 'Letter of Robert de Ros and Eustace de Vescy'; 'Charter of the barons of England and the citizens of London sent to the king of Scotland against King John'; 'Confederation between the king of Scotland and the barons of England'; and 'Letter of agreement . . . about certain marriages'. But there are crucial references to an adjudication by the barons to Alexander of the lands of Northumberland, Cumberland and Westmorland; to a mandate from the same restoring the city of Carlisle; and to another instructing the county communities to obey Alexander as their lord. This correspondence emanated from the Committee of the Twenty-Five barons, an alternative government pledged to enforcing Magna Carta; it was thus on its initiative and authority that at last Alexander got justice.

The political context was unique. Alexander's predecessors had capitalised on English discord as supporters, however nominal, of rival claimants to the throne: the Young King Henry against Henry II in the case of William I; Empress Matilda against Stephen in the case of David I. But initially Alexander found himself negotiating with a baronial committee, an extraordinary turn of events. The recently reiterated view that he was awarded Cumbria and Northumberland as part of the kingdom of England is, however, surely correct.⁶⁹ The baronial rebellion of 1215 represented itself as a revolt in defence of the collective rights and liberties of the English realm—a novel principle enshrined in Magna Carta itself, which has aptly been described as 'the classic statement of *regnal solidarity* against a king'.⁷⁰ Thus it was that when the Twenty-Five adjudged the Border shires to Alexander they acted in the name of 'the community of the whole land'. For all that they thereby conspired 'against the royal

⁶⁸ *The Acts of the Parliaments of Scotland*, ed. T. Thomson and C. Innes (Record Commission, 1814–75), i, 107–12; now conveniently tabled in Duncan, 'John king of England', 270–1.

⁶⁹ *Ibid.*, 267–8.

⁷⁰ S. Reynolds, *Kingdoms and Communities in Western Europe, 900–1300* (Oxford, 1984), 268 (my italics).

dignity [and] the peace of the kingdom',⁷¹ they had no intention of dismembering the realm; and a brief glance at who these men were helps to reinforce the point.

So tightly woven was the fabric of Anglo-Scottish ties that no fewer than nine of the Twenty-Five had well-recognised connections with Scotland. Pride of place goes to Robert de Ros and Eustace de Vescy; then come Alexander's first cousin Henry de Bohun, earl of Hereford, who controlled a sizeable Scottish estate administered from Ratho (Midlothian), and Saer de Quincy and Robert de Vere.⁷² Robert fitz Walter was married to Philip de Valognes's niece; William de Mowbray of Thirsk was the elder brother of Philip de Mowbray; John de Lacy of Pontefract was a former brother-in-law of Alan of Galloway; and William d'Aubigny of Belvoir was the brother-in-law of Earl Gilbert of Strathearn and the uncle of Earl Malcolm of Fife's wife.⁷³ Yet the make-up of the Twenty-Five reveals how far the baronial opposition had expanded from its original northern base. Border lords with cross-frontier standing formed a tiny minority of two (Ros and Vescy); the rest were almost all midlanders or southerners with essentially metropolitan perceptions and priorities. When as a group the Twenty-Five negotiated with Alexander on behalf of the English *communa*, they were not paying mere lip-service to such concepts.

So Alexander committed himself to intervening in a civil war in which, even among the rebel leadership, the territorial integrity of the English state seems to have been taken for granted. At the outset, that obviously restricted the opportunities for overt Scottish conquests; but settling for less would have been no novelty. Even David I had conceded, at any rate in 1139, that Northumberland and probably Cumbria were to be held as fiefs of the English crown. Almost immediately, however, Alexander learned of the Twenty-Five's offer of the throne to Philip Augustus's son Louis (the future Louis VIII

⁷¹ Quoted from the papal agents' letter of 5 Sept. 1215, which specifically revoked as unlawful all grants or judgements made independently by the Twenty-Five, in both the past and the future.

⁷² Hereford's mother was William I's sister Margaret of Scotland. For the Ratho estate, see *RRS*, ii, no. 486.

⁷³ Barrow, *Anglo-Norman Era*, 89, 185; K.J. Stringer, 'A new wife for Alan of Galloway', *TDGNHAS*, 3rd ser., xlix (1972), 49–55. It may be added that another of the Twenty-Five, Richard de Montfiquet, was very likely a close kinsman of his namesake who held a knight's feu in Perthshire by grant of William I: *RRS*, ii, no. 334.

of France) and its acceptance.⁷⁴ English political strife thereupon reverted to conventional dynastic conflict, though Louis himself did not come to England until May 1216. According to Roger of Wendover, the barons approached Louis only ‘after hesitating for some time about whom they should choose’—a clue, perhaps, that Alexander had figured as a potential candidate for John’s crown.⁷⁵ If so, while he was an obvious focus for ringleaders like Eustace de Vescy, the rebel elite elsewhere in England hoped to recover important estates in Normandy, and for them the attractions of a Capetian succession were even more alluring. That applies not least to Saer de Quincy, who headed the delegation sent to negotiate with Philip and Louis in the autumn of 1215 and who, until his capture at Lincoln in May 1217, devoted himself to Louis’s service.⁷⁶ In any event, it was no doubt widely assumed that without Scottish *and* French aid the baronial cause would falter—a view in support of which Gerald of Wales certainly did not mince his words.⁷⁷

Where does all this leave Scottish intentions? Whatever Alexander’s unease about the possibility of a Capetian ‘empire’ that swept from the Pyrenees to the Cheviots, the prospect of French involvement must have hardened his resolve, just as Louis VII’s support for the Young King Henry had spurred on William I in 1173. But it cannot be assumed that because in 1215 Alexander was prepared to hold the Border shires as an English tenant-in-chief, he therefore never sought to rule them as king of Scots. Indeed, when the barons offered Louis the crown and backed a French invasion, the unity of the English state was tested to its limit.⁷⁸ In such a volatile environment,

⁷⁴ Negotiations between the English rebels and the Capetian court can be dated no more closely than Sept. or Oct. 1215. It nevertheless seems clear that Alexander did not know of their outcome until after the Scottish army had been mobilised.

⁷⁵ Roger of Wendover, *Flores Historiarum*, ed. H.G. Hewlett (Rolls Ser., 1886–9), ii, 172.

⁷⁶ Duncan, *Making of the Kingdom*, 522–3; C. Petit-Dutaillis, *Étude sur la vie et le règne de Louis VIII (1187–1226)* (Paris, 1894), 102, 116, 147–8, 150, 152. Valuable as were Earl Saer’s Scottish estates, they could not compare with what he would have secured in the vast Beaumont inheritance in Normandy had it not been annexed to the French royal domain in 1204. For specific evidence of the Quincy commitment to reforming a cross-Channel patrimony, see G.G. Simpson, ‘An Anglo-Scottish Baron of the Thirteenth Century: The Acts of Roger de Quincy, Earl of Winchester and Constable of Scotland’ (unpublished Edinburgh University Ph.D. thesis, 1965), 18, 212.

⁷⁷ Gerald of Wales, *Opera*, ed. J.S. Brewer *et al.* (Rolls Ser., 1861–91), viii, 311.

⁷⁸ Cf. Holt, *Magna Carta*, 377: ‘When the opposition barons sent invitations to

the Scots leadership could reasonably suppose, loyalties other than regnal ones might well come to the fore—just as they had done during the ‘Anarchy’ when David I had ultimately forged out of Norman-Plantagenet dynastic struggles a new Scottish ascendancy, the reality of which even the future Henry II had accepted in 1149. So, while Alexander would presumably have settled for recovering the Border shires under French superiority, he could—and did—play for higher stakes. Either way, success depended on how far fluid loyalties in the English Borders could be exploited to serve Scottish interests, on Alexander’s ability to afford effective aid and ‘good lordship’ to the Northerners, and—above all—on the fortunes of war.

On 19 October 1215 Alexander invested Norham castle.⁷⁹ After forty days a truce was granted to the garrison and the siege abandoned; then Alexander marched on Newcastle and burned the town. John retaliated with a savage midwinter campaign (January–February 1216), during which he took a heavy toll of rebel castles in Yorkshire and the far North—including Carlisle, surrendered by Robert de Ros without a fight—and conducted a devastating counter-invasion of south-east Scotland. By 15 January he had seized Berwick, and his troops ravaged Lothian as far as Haddington before he retired across the Border ten days later. Alexander pursued him all the way to Richmond but to no avail, and turned west over Stainmore to harry the Eden valley up to the gates of Carlisle.⁸⁰

Alexander resumed the attack in July 1216 when he headed back for Carlisle, now held by Robert de Vieuxpont, effectively John’s viceroy in Cumbria. The city fell on 8 August, and the castle probably in November or December.⁸¹ Meanwhile, Alexander marched

Prince Louis . . . they had lost the capacity to act for the community. They were now a faction seeking shelter behind a concocted claim to the throne from an alien prince.’

⁷⁹ This and the following paragraph are based largely on the ‘war diary’ in *Chron. Melrose*, 61–3, 68–9, supplemented by *Histoire des ducs de Normandie et des rois d’Angleterre*, ed. F. Michel (Société de l’histoire de France, 1840), 163–4, 179.

⁸⁰ There is no evidence that, as stated in Holt, *Northerners*, 135, Alexander besieged Carlisle at this time.

⁸¹ A late 13th-cent. Carlisle source implies that both city and castle were taken at one go: *Documents and Records illustrating the History of Scotland*, ed. F. Palgrave (London, 1837), 74. But *Chron. Melrose*, 63, states that on this occasion Alexander did not reduce the garrison; and Abbot William of Melrose, almost certainly the Melrose chronicler’s source, was a very reliable authority, having been abbot of

with an army the length of England to confer with Prince Louis. He left Carlisle some time in August, crossed the Pennines to Barnard Castle, where Hugh de Balliol's garrison was abortively attacked, and by mid-September had arrived at Dover, where Louis received his homage for the Border counties and solemnly pledged never to make peace independently with the king of England. Alexander then successfully returned home, despite John's best efforts to intercept him. During these manoeuvres John unexpectedly died at Newark-on-Trent on 18–19 October, to be succeeded by his nine-year-old son Henry III. In May 1217 Alexander again invaded Northumberland and invested Mitford castle, captured by John in January 1216. He raised the siege a week later, probably soon after Louis's army had been routed at Lincoln on 20 May. Alexander's last offensive opened in July 1217 when he once more attacked Northumberland, though no operational details are known. At Kingston-on-Thames on 12 September 1217, peace was agreed between Louis and Henry III through the mediation of the papal legate, Cardinal Guala Bicchieri. Alexander immediately abandoned his plans for another assault on Northumberland, and disbanded his army at Jedburgh. Three months later he conceded defeat and, in the English Christmas court at Northampton, submitted in person to Henry III who, ignoring Alexander's claims to the Border counties, took his homage for Tynedale and the honour of Huntingdon.

Key aspects of the Scottish war effort merit closer inspection, and one approach is to examine how far it conformed to the 'best practice' of contemporary European warfare, a subject much investigated of late.⁸² Knighted by John in March 1212, Alexander had served his military apprenticeship against the MacWilliams in Ross in the following summer. But while some of his elderly courtiers had experience of Scoto-English warfare,⁸³ and while his chief English supporters

Holm Cultram (Cumberland) until late in the previous year: cf. W.W. Scott, 'Abbots Adam (1207–1213) and William (1215–1216) of Melrose and the Melrose Chronicle', in *Church, Chronicle and Learning*, ed. Crawford, 161–71. *Gesta Annalia*, which assigns the castle's capture to the late autumn of 1216, seems to complete the story: *Chron. Bower*, v, 231 (editorial note).

⁸² Recent important studies include M. Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (London, 1996); M. Strickland, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066–1217* (Cambridge, 1996); *Armies, Chivalry and Warfare in Medieval Britain and France*, ed. M. Strickland (Stamford, 1998); and *Medieval Warfare: A History*, ed. M. Keen (Oxford, 1999).

⁸³ Most notably Philip de Valognes, whose death on 5 Nov. 1215 removed a

were often war-hardened from continental soldiering, the type of fighting that suited Scottish armies was very different from European-style war-making. The 'Celtic' way of war involved the universal practice of ravaging, but rarely turned on assaulting heavily defended strongpoints, and put more emphasis on movement and battle. Such norms accorded well with the nature of the Scots king's military resources, based as they were on a small officer class of knights and the far larger 'common army' of peasant spearmen and bowmen, and with the demands of fighting Gaelic-Norse enemies who not only had few castles but also lacked the cavalry, armour and firepower that made battle such a hazardous business in other war zones. Yet, as in 1173–4, they had proved much less satisfactory vis-à-vis the increasingly professional and technologically superior military establishment of the English crown, whose defence of its northern borderlands rested on a protective shield of virtually impregnable fortresses, and the fielding of relief armies in which mercenary knights and men-at-arms were often to the fore.⁸⁴ Nonetheless, Alexander's war leadership was not wholly inglorious, and was sometimes highly effective and inspirational, especially compared with his father's dismal record some forty years earlier. He regularly assembled large armies, and led them from the front; he systematically capitalised on the English government's political and military distractions by launching at least five major invasions; he took two English counties and held them for a full year; and he carried the war to Yorkshire, and even through the heart of England to the Kent coast. A contemporary Scots poet did not exaggerate when he saluted Alexander as 'that most excellent knight'.⁸⁵

Early in 1216 Alexander adopted a battle-seeking strategy, and thereby may seem to have unwisely ignored the grim lesson learned by David I at the battle of the Standard (1138), and the caution

distinguished old soldier from Alexander's 'war cabinet'. A veteran of the 1173–4 war, Philip was defeated in personal combat by William Marshal at a tournament in Maine in 1175—though not before impressing as the best Scottish knight on the field: *L'Histoire de Guillaume le Maréchal*, ed. P. Meyer (Société de l'histoire de France, 1891–1901), i, 48–9.

⁸⁴ M. Strickland, 'Securing the North: invasion and the strategy of defence in twelfth-century Anglo-Scottish warfare', repr. in *Anglo-Norman Warfare: Studies in Late Anglo-Saxon and Anglo-Norman Military Organization and Warfare*, ed. M. Strickland (Woodbridge, 1992), 208–29.

⁸⁵ *Chron. Bower*, iv, 474–5.

displayed in 1173-4 when the Scots were notoriously reluctant to fight English armies.⁸⁶ Arguably, however, Alexander's bold generalship was well judged. Here as elsewhere English chroniclers scarcely do him justice. They assert that in January 1216 John drove the Scots back across the Border in confusion, and that Alexander offered no resistance and went to ground: hence, according to Matthew Paris, John's vow—in a bombastic play on Alexander's youth and shock of red hair—to 'bolt the fox-cub from his earth'.⁸⁷ But *Gesta Annalia* tells a very different story.⁸⁸ The Scottish retreat was an orderly tactical withdrawal; then, after raising reinforcements—and probably adding to his cavalry arm knightly retainers from the English Borders and Yorkshire—Alexander stationed his troops on the banks of the River North Esk near Pentland, partly to defend Edinburgh and partly (so we are explicitly told) with the intention of attacking John's army on its return to Berwick, presumably as it moved from Haddington towards Soutra and Lauderdale. John was at far less than his full fighting strength;⁸⁹ and even he saw that Alexander had regained the initiative for, after a warning from his scouts, he withdrew by another route, that is, through Dunbar and Coldingham. Alexander again tried to bring John to battle by pursuing him as far as Teesdale and Swaledale. The fox-cub had survived the chase; now John was hunted.⁹⁰ In brief Alexander's aggressive manoeuvres brought John's highly destructive campaign to a premature halt, and forced him to abandon strategically important bases in Lothian whose garrisoning by English troops would have crippled the Scots war effort.

Crucial indeed to success in European warfare was the securing of castles, the key tools of territorial control. Alexander's overall performance in this field was poor. The initial advantages gained through

⁸⁶ Strickland, 'Securing the North', 221, 225; Strickland, *War and Chivalry*, 120-1.

⁸⁷ *Mem. Walt. Cov.*, ii, 229; Paris, *Chron. Majora*, ii, 641-2.

⁸⁸ *Chron. Fordun*, i, 284, with *Chron. Bower*, v, 82-5 (a fuller and consistently plausible account).

⁸⁹ Although John's field army was evidently substantial and no doubt augmented by troops from his Northumberland garrisons—he crossed the Tweed at Norham—a full-scale invasion of Scotland had not been intended or planned. According to the knowledgeable *Hist. des ducs*, 163, John was about to retire from Durham when news of Alexander's burning of Newcastle stung him into launching a punitive counter-strike. Concurrently, another army was operating against rebel forces in East Anglia.

⁹⁰ Cf. *Chron. Melrose*, 63: 'In February Alexander pursued John with the whole of his powerful army.' See also *ibid.*, 62-3, for the Haddington-Dunbar-Coldingham route.

alliance with the Northerners were much reduced when Carlisle, Mitford, Morpeth and Prudhoe fell to John early in 1216. Moreover, while loyal English castles could not stop Scottish invasions, they could and did seriously limit their impact in terms of concrete strategic gains. Advanced stone defences were impossible to breach save by highly developed siege-craft techniques; and Alexander's failure to create momentum by delivering a decisive blow at Norham in 1215, despite a six-week investment by his entire army, is specially revealing. Not only was this a tribute to Norham's fortifications, centred on a recently enlarged keep, but it suggests that the defenders had more heavy artillery at their disposal than did the attackers.⁹¹ That tells us something about the difficulty of adapting 'Celtic' military practice to the challenges presented by an English war and, more particularly, about the extent of the persisting gulf between the Scots and English forces in resources and expertise—little indeed had changed since William I's failures in 1173–4.⁹² Even Barnard Castle was besieged unsuccessfully in 1216, as was Mitford in 1217.⁹³ Nonetheless, against Alexander's tally of defeats has to be set the razing of Tweedmouth castle and, above all, the capture of Carlisle—a glorious triumph denied to his father, notwithstanding two protracted blockades.⁹⁴ The citizens are said to have submitted happily to Alexander because of their hatred of John. That brought him securely within the city walls, and exposed the castle to sustained attack on its weakest side. On this occasion, Alexander must have

⁹¹ P. Dixon and P. Marshall, 'The great tower in the twelfth century: the case of Norham castle', *Archaeological Journal*, cl (1994), 410–32. For Norham's complement of engines, at any rate in 1212, see *Pipe Roll 14 John*, 47.

⁹² Jordan Fantosme identified the lack of an adequate siege-train as the critical limitation on Scottish military effectiveness in 1173–4: *Fantosme's Chron.*, lines 581–2, 1239–69.

⁹³ Although not in Norham's class, both were nevertheless strongly sited masonry castles: D. Austin, 'Barnard Castle, Co. Durham', *Journal of the British Archaeological Association*, cxxxii (1979), 50–72; C.H. Hunter Blair, 'Mitford castle', *Archaeologia Aeliana*, 4th ser., xiv (1937), 74–94.

⁹⁴ Alexander's destruction of Tweedmouth castle is reported in *Gesta Annalia* (*Chron. Fordun*, i, 286 = *Chron. Bower*, v, 92–3), which adds that John had broken his promise of 1209 and illegally rebuilt it. The following account of Carlisle's fall is based on M.R. McCarthy, H. Summerson and R.G. Annis, *Carlisle Castle: A Survey and Documentary History* (Historic Buildings and Monuments Commission for England, 1990), 126, with *Chron. Fordun*, i, 285 (= *Chron. Bower*, v, 90–1), for the honourable surrender. It is tempting to suggest that some of the sappers mentioned were quarriers recruited by Ivo de Vieuxpont from the Alston mines.

had a preponderance of engines; while specialist troops, including sappers, were deployed as required. First, the besiegers set about the south curtain and its gatehouse, the most vulnerable point. Then, having forced a breach by bombardment and mining, they swarmed through the outer ward, and probably captured most of the castle's stores. The garrison continued their resistance from the inner ward and the keep itself (ironically, it had been built or completed by David I some eighty years earlier); but once the tower over the inner gate had been demolished, they capitulated on terms granting them life and limb.

Harrying, basic to all medieval war-making, was a stratagem at which Scotland's 'Celtic' warriors traditionally excelled.⁹⁵ All Alexander's offensives were ravaging expeditions—be they to deprive his enemies of resources and replenish his own, to maintain his troops' fighting spirit by the prospect of plunder, or (it was hoped) to demonstrate the English crown's inability to defend its loyal subjects and leave them no option but submission. Yet pillage and destruction were evidently less sustained and frightful than they had been in 1136–8 and 1173–4, when in English eyes Scottish terror-tactics had violated all the rules of 'civilised' warfare because of their unsurpassed barbarity. In February 1216 native troops—possibly some of the two to three thousand Gallovidians Alan of Galloway could muster—plundered the Cistercian abbey of Holm Cultram near Carlisle, whose monks lost their vestments and chalices, their horses and cattle, and even their holy books, everyday clothes and domestic utensils. This jolted the Melrose chronicler (Holm, founded by Henry of Scotland in c.1150, was Melrose's daughter-house) into denouncing the perpetrators as 'devils rather than knights'; and God, he felt, reaped appropriate vengeance when they were drowned while crossing the River Eden.⁹⁶ But such an outrage was a far cry from the casual killing of non-combatants and systematic enslavement of captives that had so horrified twelfth-century Anglo-Norman commentators—most recently Jordan Fantosme, to whom native Scots troops were 'terrible in war' and the 'mortal enemies' of English Borderers.⁹⁷ The threat

⁹⁵ Strickland, *War and Chivalry*, ch. 11, is an important analysis as to earlier Scoto-English conflicts.

⁹⁶ *Chron. Melrose*, 63.

⁹⁷ *Fantosme's Chron.*, lines 177, 633.

of offensive action by local castellans—and concern to avoid any repeat of the shame of William I's ambush and capture at Alnwick—may often have obliged Alexander to concentrate his forces instead of dispersing them on ravaging forays. But more important was the need to restrain his warriors' excesses in order to safeguard his alliance with the Northerners. Perhaps that helps to explain why, when he advanced on Carlisle in August 1216, he did not bring native infantry from north of the Forth, having imposed on them an aid in hides and money instead⁹⁸—though, undoubtedly, the first priority was to equip himself with a well-provisioned, fast-moving cavalry force for the march from Carlisle to Dover. The Melrose chronicler is nevertheless specific that Alexander issued standing orders for the protection of English clergy; while, according to *Gesta Annalia*, the rules of engagement for the Dover expedition involved 'everywhere sparing churches and their possessions and the lands of the barons, but laying waste the lands of King John and his henchmen'.⁹⁹ It is a tribute to Alexander's authority that his army seems normally to have toed the line.¹⁰⁰

Yet the political requirement to fight a 'chivalrous' war inevitably blunted the attritional force of Scottish war-making, both materially and psychologically. In particular, economic devastation was not sufficiently indiscriminate to soften up enemy garrisons in Northumberland by cutting their supply lines. That in turn seriously reduced Alexander's military options, given the general supremacy of well-fortified strongpoints over the available means of assault. Such constraints make it more understandable why, early in 1216, Alexander tried to bring hostilities to a swift conclusion by battle; but that proved impossible. Briefly put, while Alexander tried to wage a European-style war, his fighting capacity was often unequal to the task, and he could not generate enough pressure to realise all his strategic aims.

⁹⁸ W.W. Scott, 'The use of money in Scotland, 1124–1230', *SHR*, lviii (1979), 122, 128.

⁹⁹ *Chron. Melrose*, 63; *Chron. Fordun*, i, 284 (= *Chron. Bower*, v, 86–7). The Melrose chronicler also took pains to exonerate Alexander from any complicity in the sack of Holm Cultram—no doubt echoing the sentiments of Abbot William, who had resigned Holm for Melrose in Nov. 1215.

¹⁰⁰ In 1173–4 William I had granted churchmen immunity, but fell far short of managing to enforce it: Strickland, *War and Chivalry*, 324–7.

In the intelligence war, however, honours were about even. Obvious defeats on the Scottish side include the failure to anticipate and spoil John's campaign against the Northerners by making Carlisle and other rebel castles more defensible—to say nothing of John's breakthrough into Lothian, where Berwick was clearly too lightly held to resist determined attack. Again, the problems of fully capitalising on the strategic possibilities arising from the French alliance were aggravated by deficient intelligence. Admittedly, some Scottish assaults were carefully synchronised with French-rebel offensives. For example, Alexander's invasion of Northumberland in May 1217 seems to have been part of a coordinated onslaught which also saw Louis resume the investment of Dover and send a large force under Saer de Quincy to relieve Mountsorrel and press the siege of Lincoln. Conversely, thanks (one assumes) to timely news of the disaster at Lincoln—where some Scots had actually fought on Louis's side¹⁰¹—Alexander then took the sensible precaution of lifting the siege of Mitford and withdrawing. Crucially, however, the plans for collaborative warfare in the late summer of 1217 went hopelessly awry. English churchmen and loyal nobles 'greatly feared a sudden attack by the strong force of the king of Scots, as had been agreed on by Alexander and Louis'.¹⁰² Yet when Alexander set out for Northumberland, Louis and the English government had already made peace at Kingston (12 September) and the formal treaty of Lambeth (20 September) may even have been ratified.¹⁰³ Indeed, so unsatisfactory was Alexander's timing that his preparations for a new offensive can only have had the unfortunate consequence of strengthening Louis's negotiating hand and his readiness to accept the terms on offer.

But Scottish military intelligence did achieve some outstanding coups. William I, it has been judged, was 'consistently wanting in the use of intelligence, and he paid a concomitantly heavy price for the neglect of so crucial a branch of the military art'.¹⁰⁴ That verdict cannot be applied to Alexander. He knew the value of first-hand tactical reconnaissance, despite the hazards involved. Eustace

¹⁰¹ As reported in *Hist. de Guillaume le Maréchal*, ii, 277; see also Stringer, *Earl David*, 53.

¹⁰² *Chron. Bower*, v, 90–1 (a passage unique to Bower, but probably taken from contemporary annals).

¹⁰³ *Chron. Melrose*, 69.

¹⁰⁴ Strickland, 'Securing the North', 227.

de Vescy was killed beside him by a crossbowman's well-aimed shot while he inspected Barnard Castle's defences in August 1216.¹⁰⁵ His attack on Northumberland in July 1217 was a swift and audacious pre-emptive strike based on advance warning of preparations by English war captains for another assault on Lothian.¹⁰⁶ Yet nowhere was effective intelligence work—not to mention the full potential of Scottish war-making—shown more amply and breathtakingly than by Alexander's long-range expedition to Kent, the success of which rested on a constant flow of reliable information about the dispositions of friendly and enemy forces. After Barnard Castle the Scottish army continued on its 400-mile march from Carlisle to Dover by advancing down the Vale of York, much of which was controlled by Robert de Ros's powerful castle at Helmsley.¹⁰⁷ No doubt Alexander also capitalised on intelligence of the recent rebellion of Earl Warenne, whose strongholds at Sandal and Conisbrough opened up safe lines of communication to the Midlands, and specifically to Lincoln, where the rebel army then besieging the castle suspended its operations and joined forces with the Scots.¹⁰⁸ Full advantage was taken of John's deployment on pressing military tasks in the West Country; and throughout the royalists were caught completely off guard. Alexander reached Canterbury unopposed, presumably via rebel-held London, and was met there by Louis, who escorted him in triumph to Dover.¹⁰⁹ But their deliberations gave John valuable time in which to bring his army into Lincolnshire and prepare counter-measures. According to *Gesta Annalia*, he made a blocking-line along the River Trent—destroying bridges, immobilising boats, excavating fords, and stationing troops in ambush positions. Yet first-rate Scottish intelligence ensured that Alexander and his host returned north unchecked; it also allowed them to score a dramatic local victory by sacking the encampment of John's dispersed army; and thus they 'came back safely to Scotland without loss and with much glory'.¹¹⁰

¹⁰⁵ Wendover, *Flores Hist.*, ii, 193–4; cf. *Memoranda Roll 10 John*, 134, for Barnard Castle's arsenal of crossbows and bolts.

¹⁰⁶ *Chron. Melrose*, 68.

¹⁰⁷ It is worth adding that Abbot William was translated from Melrose to take charge of Rievaulx on 31 Aug. 1216: *ibid.*, 63.

¹⁰⁸ *Mem. Walt. Cov.*, ii, 230–1.

¹⁰⁹ *Hist. des ducs*, 179.

¹¹⁰ *Chron. Fordun*, i, 285 (= *Chron. Bower*, v, 86–7).

English sources supply some supporting detail. John, noted the ‘Barnwell’ chronicler, first ‘occupied the places through which Alexander was about to return home’; then, from Lincoln, he ravaged the Isle of Axholme and Lindsey and Holland.¹¹¹ What is writ large in the English chancery rolls is the increasingly punishing and erratic nature of John’s itinerary. On 21–22 September he moved from Rockingham and set up his headquarters at Lincoln, whence he came through Scotter, Stow and other Trent valley outposts. Early in October he marched to Grimsby, Louth, Boston and Spalding, and then left Lincolnshire for a two-night stay at King’s Lynn (9–10 October), only to turn on his heels towards Newark-on-Trent. It was at Lynn that he got dysentery, and he died at Newark (18–19 October). Alexander probably left Dover about the onset of October, and evidently took the direct route north along Ermine Street or its axis. It cannot be claimed that of the many pressures on John’s constitution the strain of marshalling a response to Alexander’s manoeuvres was necessarily the critical one, or even (since Alexander may well have approached the Trent only after 19 October) that John was aware of the full extent of the humiliation inflicted on the English monarchy by a ‘mere’ king of Scots.¹¹² But no-one could deny that Alexander’s parading through England’s heartlands was a stunning feat of arms; and the unpalatable memory of his astonishing exploit remained seared on the English government’s psyche for years to come.¹¹³

As to the political map, what had Alexander achieved before coming to terms in December 1217? At the siege of Norham, probably on 19 October 1215, Eustace de Vescy formally invested him with the ‘comitatus Northumbrie’, and on 22 October the rebel barons

¹¹¹ *Mem. Walt. Cov.*, ii, 231.

¹¹² English chroniclers place Alexander in Dover by mid-Sept. *Gesta Annalia* has it that he departed after some 15 days when John was still alive; but that when the Scots sacked the royalist camp, John was dead. This seems persuasive: cf. Holt, *Northerners*, 139, n. 1. Louis himself retired to London on 14 Oct.

¹¹³ Modern accounts of John’s last campaign are barely conscious of the Scottish dimension, and most ignore it altogether. Note also that news of Alexander’s advance may explain the sense of urgency that led to the famous losses suffered by John’s baggage-train when he hurried back towards Lincolnshire across the Wash (11 Oct. 1216), though this possibility is not considered in J.C. Holt, ‘King John’s disaster in the Wash’, repr. in his *Magna Carta and Medieval Government* (London, 1985), 111–22.

of Northumberland (and Cumbria?²) gave him homage at Felton in Coquetdale.¹¹⁴ These acknowledgements of Alexander's superiority occurred outwith the English crown's authority as upheld both by John and by the 'anti-king' Louis, who was in no position to assert his regal claims until his arrival in England in May 1216. The baronial rebels can be portrayed as merely executing the judgement of the Twenty-Five; even so, any notion that they had *not* recognised Alexander as their sovereign lord may well have been too subtle for many contemporaries to grasp. It certainly eluded *Gesta Annalia*'s source-annalist: Alexander, he said, 'brought Northumberland under his yoke and received the submission of its people'.¹¹⁵ Then on 11 January 1216 the rebel Yorkshire barons transferred their homage and allegiance to Alexander in the chapter-house of Melrose Abbey; and we can be sure that Eustace de Vescy and Robert de Ros took a leading role in these proceedings.¹¹⁶ But although David I had claimed Yorkshire as Scottish territory, Alexander had no right to it by the Twenty-Five's decision. The Northerners had manifestly gone their own way, however much their hands were forced by Alexander's desire to impose his superiority over them. The threat to Louis's sovereign claims was only too apparent, and one of his first actions after coming to England, so Roger of Wendover reports, was to write forcefully to Alexander ordering him to submit to his authority or to quit the kingdom forthwith.¹¹⁷

¹¹⁴ *APS*, i, 112; *Chron. Melrose*, 61 ('barones de Norhthumbria'). Felton was in the Bertram barony of Mitford.

¹¹⁵ *Chron. Fordun*, i, 284 (= *Chron. Bower*, v, 82–3).

¹¹⁶ *Chron. Melrose*, 62. There would, however, have been some notable absentees, including John de Lacy, Roger de Montbegon and Ruaid constable of Richmond, who had submitted to John during the first week of Jan. 1216: *Rot. Litt. Claus.*, i, 244b–5a. About this time St Peter's Hospital, York, petitioned Alexander for a confirmation of its property at Dumfries and Conheath. In its surviving form his charter, calendared in *CDS*, ii, no. 1606(5), has no time-date, and the place-date, 'Acrington', is corrupt. But it was witnessed by Ros and Vescy, and 'Acrington' may stand for Acklington near Warkworth. Its large park would have provided good quarters for the Scottish army, perhaps when Alexander came after John through Northumberland early in Feb. 1216.

¹¹⁷ Wendover, *Flores Hist.*, ii, 181. *APS*, i, 108, itemises two letters from Louis to Alexander: 'Letter . . . about Northumberland, Cumberland and Westmorland', and 'Letter . . . confirming the charter of the barons of England'. The latter was no doubt a product of the Dover conference; the former is just possibly the communication to which Wendover refers.

But Alexander's power to command the Northerners' political allegiance depended on their confidence in the ability of his lordship to safeguard their interests. That was made patent at Melrose when, with John already at Alnwick, the Yorkshire magnates pledged their loyalty in return for protection against his advancing army. Yet when Scottish commentators baldly announced that Northumberland lay under Alexander's governance, or that by February 1216 he had mastered 'all in the bishopric of Durham',¹¹⁸ they lost touch with realities. Such was the impact of John's winter onslaught that the chancery rolls of January-April 1216 are littered with the names of Northerners who either seriously contemplated surrendering, or in fact returned to John's service, however reluctantly and provisionally.¹¹⁹

In the event it was not Alexander but Louis who denied John a runaway victory. The Capetian invasion provided the rebel barons with a new focus of royal power and assistance. By the same token, Alexander's declining authority and credibility propelled him into Louis's arms at Dover. Thus his reasons for coming so far south were primarily political, not military. He needed a French alliance; indeed such a pact was in all probability insisted on by the Northerners as a precondition of their continued support. He was therefore in no position to demand from Louis an outright grant of the Border shires such as David I had secured from Henry of Anjou in 1149. Rather, acknowledgement of Louis's superior lordship over them was the price Alexander paid for the promise of an enduring coalition. Yet what did his homage for Northumberland, Cumberland and Westmorland really entail? The formal niceties are less important than the reality that Louis never had the power to enforce a strict relationship of dependence and thereby restrict Alexander's freedom of action in the English Borders; that Alexander was fighting a regional war in which Scottish interests naturally came first; and that any sense of obligation towards Louis was always strictly secondary to Alexander's commitment to emulating the achievements of David I.¹²⁰

¹¹⁸ *Chron. Bower*, v, 84-5 (not in *Chron. Fordun*, and perhaps one of Bower's interpolations).

¹¹⁹ Between mid-Feb. and early May 1216 even Robert de Ros and Eustace de Vescy were negotiating with John, though in the event neither capitulated: Holt, *Northerners*, 135-7.

¹²⁰ A late 13th-cent. English source struck a similar note by describing Alexander's homage to Louis as a sham: Bartholomew de Cotton, *Historia Anglicana*, ed. H.R. Luard (Rolls Ser., 1859), 104.

It is against this background that we must examine Alexander's power-building at its most effective. To Scottish eyes, Cumbria was the supreme trophy. As Jordan Fantosme had William I's nobles exclaim, 'of all the lands you lay claim to, Carlisle is the chief'.¹²¹ And, after the capture of Carlisle castle from the arch-royalist Robert de Vieuxpont in the autumn of 1216, there is no mistaking the substance of Alexander's hegemony over the North-West. Carlisle itself, far and away Cumbria's pivotal military, administrative and economic centre, was vital to his mastery, but by no means its only mainstay. An analysis of English government records, supplemented by other sources, gives the names of no fewer than seventy-seven rebel barons, knights and freeholders in Cumberland and Westmorland who, it may be assumed, supported the Scottish occupation in 1216–17 (see Table 2, pp. 154–6)—and even this impressive figure is no doubt a serious underestimate.¹²² All the Cumbrian baronies are represented, notably Allerdale, Burgh-by-Sands, Copeland and Gilsland in Cumberland, and Appleby and Kendal in Westmorland. The focal figure was Alan of Galloway, who not only supplanted Robert de Vieuxpont as lord of Appleby, but was almost certainly appointed Alexander's chief governor of Cumbria and keeper of Carlisle castle. He thereby took over Vieuxpont's viceregal role in the North-West, and that was a very significant realignment of the regional power-structure in Alexander's name.¹²³ Otherwise Alexander worked with the grain of established interests, and secured the backing, tacit or active, of virtually the entire baronial elite. Thus, also qualifying for Table 2 are Gilbert fitz Reinfrey of Kendal, Richard Gernun of Burgh-by-Sands, Richard of Levington of Kirkclinton, Nicholas de Stuteville of Liddel, and Robert de Vaux of Gilsland.¹²⁴ Since Copeland and Greystoke had descended to an heiress and an under-age son, the only baronial absentee is William de Forz of Allerdale—a notorious political

¹²¹ *Fantosme's Chron.*, lines 608–9.

¹²² Holt, *Northerners*, 37ff, underlines the limitations of English chancery sources for counting rebels. Its conclusions are reinforced by the fact that of the 77 men and women qualifying for Table 2, 16 have been supplied by local records which fortuitously survive. These persons include 8 (out of 22) representatives of Appleby barony, 4 (out of 9) representatives of Gilsland barony, and Robert de Brus, whose appearance corrects the conclusion in Duncan, 'Brucses of Annandale', 95, about his supposed non-involvement in the Scottish war effort.

¹²³ Stringer, 'Periphery and core', 90–2.

¹²⁴ Gilbert fitz Reinfrey submitted to John in Jan. 1216 but soon rebelled again: Holt, *Northerners*, 50, 53.

maverick, though since his son and heir later married one of Alan of Galloway's daughters, his opposition to the Scottish take-over was presumably half-hearted at best.¹²⁵

Further light on the anatomy of Alexander's supremacy is thrown by the seventy-one landholders still to be considered. About a third were of little account; yet most were knights and gentry who, with the baronial rebels, represented a substantial segment of the hundred or so influential families that dominated Cumbrian political and county society. A typical case is that of Ralph de la Ferté of Bowness-on-Solway. Well used to serving as a local juror and office-holder, he had acted as constable of Carlisle castle in 1215; and such was his standing that he was swiftly re-employed by the English crown after the war, as a justice in the North-West during the 1218–19 general eyre.¹²⁶ Also among these rebels were those who had taken, or would take, weighty roles in the shire communities as deputy-sheriffs or estate stewards.¹²⁷ Such men were crucial for their value in regional peace-keeping and governance, and their disaffection was masterfully harnessed in 1216–17 to serve Scottish ends. Ralph de la Ferté was then personally wooed by Alan of Galloway, as were many others.¹²⁸ Nor was this a particular novelty, given the strength of pre-existing ties between the Galloway lords and Cumbria; while in c.1200 Ralph himself had witnessed the charter of Philip de Valognes granting Torpenhow in Allerdale to his daughter Sibyl and her husband Robert de Stuteville—'English' business done in the sheriffdom court of Roxburgh.¹²⁹

¹²⁵ For his career as a whole, see R.V. Turner, 'William de Forz, count of Aumale: an early thirteenth-century English baron', *Proceedings of the American Philosophical Society*, cxv (1971), 221–49.

¹²⁶ *Rot. Litt. Pat.*, 163a; D. Crook, *Records of the General Eyre* (London, 1982), 73.

¹²⁷ Deputy-sheriffs: Roger de Beauchamp for Westmorland (1200); Richard of Levington (c.1220) and Richard le Brun (c.1230) for Cumberland. Stewards: Ralph d'Aincourt and Henry of Redmain for Kendal; John of Denton and Robert son of William for Gilsland; Richard le Brun for Copeland. William Trussebut had been employed as Robert de Ros's steward in Northumberland.

¹²⁸ Stringer, 'Periphery and core', 90–1.

¹²⁹ *Early Yorks. Chrs.*, ix, no. 54. The suggestion in Barrow, *Anglo-Norman Era*, 136, that Philip de Valognes put the authority of the sheriffdom court of Roxburgh behind his gift of Torpenhow is strengthened by the fact that his title to the manor was disputed: cf. *The Book of Fees*, ed. H.C. Maxwell Lyte (London, 1920–31), i, 198. The last witness to his charter, William de Solum, took his name from a village, now lost, on Solway Moss. A Robert de Solum was a rebel in 1216–17: *Rot. Litt. Claus.*, i, 374b.

Of course, it cannot be assumed that all the persons in Table 2 were deeply committed to Alexander's cause. Some may have been intimidated into submission; others were motivated more by hatred of King John than by any loyalty to the Scottish monarchy; and some probably gave only token support because their chief English interests lay elsewhere, notably in Yorkshire and Lancashire. Nevertheless, a significant element had begun the war as landholders in both Cumbria and Scotland. These men included Robert de Brus, Richard of Levington, and Ivo de Vieuxpont, as well as Robert de Ros, whose network of Cumberland villis helped to secure communications between Carlisle and Appleby.¹³⁰ Mention might also be made of ordinary knights or gentry like Richard de Bosco (or del Bois) of Talkin in Gilsland, who also held Carruthers in Annandale, and was presumably a close kinsman of Alexander's chancellor William del Bois;¹³¹ or Thomas de Chartres, another Cumberland freeholder and tenant of the Bruses in Annandale, at Amisfield and Dumgree;¹³² or Alan of Rule of Dovenby in Allerdale, who was also a Roxburghshire laird based in the Rule Water valley.¹³³ Yet other examples are provided by Eudo of Carlisle, Eustace de Vescy's nephew, whose main Cumbrian interest lay at Cumwhinton near Carlisle, and who was almost certainly another Annandale tenant, at Kinmount near Cummertrees;¹³⁴ William son of Derman, a tenant of Burgh-by-Sands barony, who held Auchencrief, Dargavel and Burntscarthgreen near Dumfries as a crown vassal;¹³⁵ and Ranulf of Bunkle, a Berwickshire tenant-in-chief, who controlled Gilcrux and Uldale in Allerdale.¹³⁶ All these men were, it seems, well respected in Cumbrian society; they had played a part in its governance equivalent to that of more

¹³⁰ *Book of Fees*, i, 266 (Carlatton, Castle Sowerby, Farmanby and Upperby).

¹³¹ Barrow, *Anglo-Norman Era*, 94, 175–6, supplemented by *Rot. Litt. Claus.*, i, 374b; *The Lanercost Cartulary*, ed. J.M. Todd (Surtees Soc., 1997), no. 119; and *Melrose Liber*, ii, 668–9.

¹³² *Rot. Litt. Claus.*, i, 376a; *Kelso Liber*, ii, no. 345; and cf. also *RRS*, ii, no. 426; *Melrose Liber*, i, nos. 201, 204. Thomas's namesake and probable son served as chancellor of Scotland, c.1285–91: D.E.R. Watt, *A Biographical Dictionary of Scottish Graduates to A.D. 1410* (Oxford, 1977), 85–6.

¹³³ *Rot. Litt. Claus.*, i, 374b; *CDS*, ii, 172; *Early Yorks. Chrs.*, ix, no. 54; *Registrum Episcopatus Glasguensis* (Bannatyne and Maitland Clubs, 1843), i, no. 148.

¹³⁴ *The Scots Peerage*, ed. J.B. Paul (Edinburgh, 1904–14), ii, 374–6; Stringer, 'Nobility and identity', 224–5, and n. 110.

¹³⁵ Barrow, *Anglo-Norman Era*, 178; *Lanercost Cartulary*, no. 28.

¹³⁶ Raine, *North Durham*, nos. 168–9; J. Nicolson and R. Burn, *The History and Antiquities of . . . Westmorland and Cumberland* (London, 1777), ii, 130; *CDS*, i, no. 643.

locally based lords;¹³⁷ and, as Alexander's 'natural' followers, they brought the region more firmly within his ambit than would otherwise have been the case. Their estates spread across north Cumberland from near Cockermouth to the Bewcastle Fells, and through the Vale of Eden to the marches of north Westmorland, Alan of Galloway's 'country', where from his castles of Appleby and Brough he exercised lordship as far south as the Howgill Fells. On the Pennine plateau itself was Ivo de Vieuxpont's manor of Alston, in the liberty of Tynedale—most of which may in fact have remained under Alexander's control, thus considerably enhancing his regional dominance.

Nor does this exhaust the full extent of Alexander's hegemony, short-lived though it proved to be. There was no rush to return to the English crown's allegiance when Prince Louis's cause foundered; and almost all the Cumbrian rebels—like Eudo of Carlisle, who was still a rebel 'with the king of Scots' in November 1217—delayed their surrender until Alexander himself came to the negotiating table.¹³⁸ Furthermore, there can be no gainsaying that, despite his recognition of Louis's overlordship, Alexander routinely treated Cumbria as part of his royal domains. He thus claimed and enforced sovereign prerogatives by exercising royal rights of wardship and marriage, dispensing royal justice, and appropriating royal demesne manors. That much is shown, or at least indicated, by the fact that his chamberlain William de Valognes gained custody of the barony (and presumably the castle) of Liddel;¹³⁹ by the punishment meted out by Henry III's ministers on 10 March 1218 to Thomas of Moulton for marrying Ada de Morville, coheir of Burgh-by-Sands barony, without the king's permission;¹⁴⁰ by the overturning in Alan of Galloway's

¹³⁷ For example, Ranulf of Bunkle, Thomas de Chartres and Alan of Rule appear with Ralph de la Ferté among the knights selected to settle the case when the grand assize was claimed in a lawsuit concerning Lamplugh in Allerdale in 1212: *Curia Regis Rolls*, vi, 345. Later that year, however, King John—at Alexander's special request—wrote to the sheriff of Cumberland to excuse Bunkle from attendance at another grand assize, and from suit and service for his land in person, 'on account of the service of his lord, the king of Scotland': *CDS*, i, no. 542.

¹³⁸ *Ibid.*, no. 682. Most of the writs recording the return of the Cumbrian rebels to fealty appear as undated entries in *Rot. Litt. Claus.*, i, 373b–6a (the dorset of the roll); but for early to mid-Nov. 1217 as the most likely date, cf. Holt, *Northerners*, 38. Alexander had made overtures to Henry III's council by 3 Nov. 1217, when he got a safe-conduct: *CDS*, i, no. 678.

¹³⁹ *Ibid.*, nos. 685, 723. William's ward was his nephew Eustace de Stuteville, whose predecessor, his grandfather Nicholas, had died in c. June 1217.

¹⁴⁰ *Rot. Litt. Claus.*, i, 354b. Thomas, already a prominent member of Cumbrian

favour of John's grant of Appleby to Robert de Vieuxpont; and by the seizure of the king's rents at Penrith.¹⁴¹ In all likelihood Alexander also took back the royal mines at Alston and Nenthead, controlling them through Ivo de Vieuxpont who had earlier served John as their custodian.¹⁴²

But nowhere did Alexander assert his sovereign authority and control more firmly and impressively than with regard to the vacant bishopric of Carlisle. In April 1217 Henry III's council wrote earnestly to Pope Honorius III to complain that the Augustinian canons of Carlisle, 'abettors . . . of the king of Scotland and of other enemies . . . bent on our [king's] disinheritance', had subjected themselves to Alexander, sworn fealty to him, and received him as their patron and lord. They had compounded their treachery by celebrating divine service in defiance of the interdict on rebel-held lands; and worse still, to the grave prejudice of Henry's rights and the kingdom's unity and peace, they had elected on Alexander's nomination one of his clerks, an excommunicate, as their bishop. Accordingly, the Pope was urged to quash the election, expel the canons, and replace them by secular clerks loyal to Henry and the Roman Church.¹⁴³

Not the least interesting feature of this letter is its frank admission that Alexander had arrogated to himself English sovereign jurisdiction. It also supplies some telling support for the view that the urban elite of Carlisle not only 'effectively [removed] itself from the kingdom altogether', but 'had the ability to transfer its allegiance

society thanks to the important custodies he had purchased in 1213, is not listed as Ada's husband in Table 2 because the marriage possibly occurred between Dec. 1217 and Feb. 1218. Nevertheless Ada, a kinswoman of Alan of Galloway, figures among the Cumbrian rebels in Nov. 1217, as does Thomas himself: *ibid.*, 374a-b. No relevant light is thrown by the account of Moulton's career in R.V. Turner, *Men Raised from the Dust: Administrative Service and Upward Mobility in Angevin England* (Philadelphia, 1988), ch. 6. The assumption (at 111) that Thomas, captured at Rochester in Nov. 1215, remained a prisoner until 3 Sept. 1217 is incorrect; he had been released on terms at least two months earlier: *Patent Rolls of the Reign of Henry III, 1216-25* (London, 1901), 76.

¹⁴¹ *Royal . . . Letters illustrative of the Reign of Henry III*, ed. W.W. Shirley (Rolls Ser., 1862-6), i, no. 142.

¹⁴² Stringer, 'Periphery and core', 113. In 1224 Ivo was accused of disrupting production by coercing and imprisoning the Alston miners: *Rot. Litt. Claus.*, ii, 8a.

¹⁴³ *Patent Rolls, 1216-25*, 111. Unsurprisingly, a more charitable view was later taken of the canons' behaviour in a Franciscan-Augustinian source, *Chronicon de Lanercost* (Maitland Club, 1839), 27, where they are said to have celebrated mass for Alexander on pain of death.

without apparent qualms or doubts'.¹⁴⁴ Tantalisingly, no source names the Scottish bishop-elect. It has been suggested that he was either Alexander's clerk Robert de St Germain or his chancellor William del Bois.¹⁴⁵ Both were excommunicated and suspended by the legate Guala Bicchieri as specially dangerous enemies of the Holy See and the English state; and both were ordered to make their peace with the Pope in person in 1218.¹⁴⁶ But it is unlikely that Robert was Alexander's nominee. He had entered Scots royal service from the household of William Malveisin of St Andrews by 1213, and was sufficiently influential to be included in Alexander's embassy to John in July 1215. Yet Robert, evidently a Frenchman, had left Alexander's court by April 1217 and thrown in his lot with Prince Louis, among whose pensioners he had already figured in 1212. He earned notoriety for preaching Louis's cause at St Paul's Cross in London; and when peace negotiations between Henry III's council and Louis collapsed in June 1217, it was because Louis then refused to accept Guala's ultimatum specifically excluding Robert and three other clerical ringleaders from any settlement.¹⁴⁷ If a choice has to be made, William del Bois seems the more plausible candidate, especially when

¹⁴⁴ Summerson, *Medieval Carlisle*, i, 97–8. As Dr Summerson has further stressed, Carlisle's thriving economic and other contacts with Scotland ensured that after 1157 it remained in important respects a 'Scottish' town (*ibid.*, 98). Note also that Bishop Adam of Caithness (1213–22) was a native of Carlisle or its environs; while Bishop Bernard of Carlisle (1204–14) may have sought asylum in Scotland when England was under interdict: *Chron. Lanercost*, 29; C.R. Cheney, 'King John's reaction to the interdict on England', repr. in his *The Papacy and England: 12th–14th Centuries* (London, 1982), Essay x, 129–50, at 141, n. 1.

¹⁴⁵ Respectively, H.G. Richardson, 'Letters of the Legate Guala', *English Historical Review*, xlviii (1933), 257, n. 5; and *The Letters and Charters of Cardinal Guala Bicchieri, Papal Legate in England, 1216–1218*, ed. N. Vincent (Canterbury and York Soc., 1996), 11.

¹⁴⁶ *Ibid.*, no. 131; *Vetera Monumenta Hibernorum et Scotorum Historiam Illustrantia*, ed. A. Theiner (Rome, 1864), nos. 13, 16.

¹⁴⁷ Watt, *Biographical Dictionary*, 477, deals with Robert de St Germain's Scottish career, and notes that he was absolved by Honorius III in 1218 following representations by Philip Augustus and Louis. Otherwise the entry overlooks Robert's Capetian connections, on which see *Letters of Guala*, lxiii, 110. One of his three clerical accomplices was Archbishop Stephen Langton's brother Simon, Louis's chancellor. Robert would have known their father Henry, who on John's refusal to confirm Stephen's appointment in 1207 had taken refuge at St Andrews Cathedral Priory, remaining there until his death as an honoured guest 'on account of the love and esteem in which the archbishop was held': *The Historical Works of Gervase of Canterbury*, ed. W. Stubbs (Rolls Ser., 1879–80), ii, lxii–iii; cf. F.M. Powicke, *Stephen Langton* (Oxford, 1928), 3.

we invoke the precedent set by David I, who in 1141 had tried to intrude his chancellor William Cumin into the see of Durham. The difference was that, unlike Alexander, David failed to secure a northern English bishopric for his creature. Of course David's supremacy was still the more penetrating and all-embracing. But in Cumbria in 1216–17 Alexander regained much of his great-grandfather's strength and authority, and for the first time in sixty years it may have seemed as if the boundaries of the Scottish state would be fixed as far south as the shores of Morecambe Bay. Yet it was not to be.

Inasmuch as it attempted to explain Alexander's defeat, the Melrose Chronicle highlighted political duplicity among the rebel English baronage.¹⁴⁸ This analysis, however insufficient, at least indicates the essence of Alexander's difficulties, shaped as they were by circumstances largely beyond his control. Fortune was clearly significant, as English historians readily concede when they stress how far the revival of Plantagenet authority depended on John's sudden death and Henry III's accession as a harmless minor. 'Henry shrugged and the weight of John's crimes fell from his shoulders.'¹⁴⁹ Moreover, Alexander could scarcely have anticipated that Philip Augustus would refuse to put the might of the French crown behind Louis's campaigning, however desperately he needed fresh troops and money.¹⁵⁰ But, for all that such contingencies had frustrated the Scots, they still had to face up to the stark truth that the most serious crisis confronting England since the 'Anarchy' did not in the event deprive the English monarchy of its preponderance relative to the Scottish state. So while it is not difficult to see why Alexander and his advisers had initially been full of confidence as to the war's outcome, they had nevertheless seriously miscalculated the odds. And why it was that Alexander ultimately fell far short of repeating David I's successes can fully be appreciated only by setting the war of 1215–17 within the broader context of critical changes in the 'British' balance of power.

First, the papacy's novel role as the arbiter of 'British' politics greatly added to Alexander's troubles. Decisive were the actions of

¹⁴⁸ *Chron. Melrose*, 63.

¹⁴⁹ D.A. Carpenter, *The Minority of Henry III* (London, 1990), 22.

¹⁵⁰ Cf. J.W. Baldwin, *The Government of Philip Augustus: Foundations of French Royal Power in the Middle Ages* (London, 1986), 335–6.

Cardinal Guala, who was equipped with exceptionally wide powers throughout England, Wales and Scotland to secure the peace and unity of the English realm under the Pope's overlordship and protection.¹⁵¹ When Guala arrived in England in May 1216, the English rebels' accomplices had already been excommunicated, though not by name. He immediately issued more definite orders by declaring Louis and all his adherents excommunicate and interdicted (29 May 1216), and later extended the sentence expressly to include Alexander and his chief supporters, apparently the Scots lay elite in the first instance, then senior churchmen as well.

None of Guala's letters against the Scots survives. It is a plausible interpretation, however, that Guala issued a mandate for a sentence of excommunication and interdict on Alexander and the Scottish nobility at Bristol on 11 November 1216, two weeks after Henry III's coronation; but that actual execution of the sentence was deferred in the hopes that a formal and explicit warning of spiritual censures would force Alexander to seek peace with the new king.¹⁵² On 17 January 1217 Honorius III wrote to Alexander in firm but reconciliatory terms deploring his lack of devotion to the Roman Church, urging him to return to the English crown's allegiance, and promising to intercede with Henry III to restore him to favour and help him to recover his rights.¹⁵³ In papal letters registered on 6 July 1217 Alexander was presumed to be excommunicate because he remained at war;¹⁵⁴ but it does not follow that a declaratory sentence had by then been published. According to the Melrose chronicler, an official pronouncement was in fact delayed for almost a year—that is, until immediately after the treaty of Lambeth (20 September 1217), when Alexander and 'all the earls, barons, knights . . . and the bishops and

¹⁵¹ P.C. Ferguson, *Medieval Papal Representatives in Scotland: Legates, Nuncios, and Judges-Delegate, 1125–1286* (Stair Soc., 1997), 76–81, summarises the significance of Guala's legation for Scotland, but was unable to profit from *Letters of Guala* which, however, entirely ignores key references in *Gesta Annalia*. What follows here, and in a subsequent section, draws on the work of Ferguson and Vincent, but gives fresh details and a rather different slant.

¹⁵² *Letters of Guala*, 43; cf. Ferguson, *Papal Representatives*, 79, though neither addresses the possibility of a deliberate stay of execution. As Duncan, *Making of the Kingdom*, 23, points out, in Oct. 1216 Alexander had been invited by the royalists to take part in the 'election' of John's successor.

¹⁵³ Theiner, *Vet. Mon.*, no. 4.

¹⁵⁴ *Letters of Guala*, no. 172.

prelates of the whole kingdom of Scotland were interdicted and excommunicated'.¹⁵⁵ *Gesta Annalia* seems to back up the Melrose account.¹⁵⁶ It states, albeit without firm dates, that due to 'the troubles, oppression and unbearable evils perpetrated in England by the king of Scotland', Guala inflicted an interdict, and that the priors of Durham, Guisborough and Tynemouth, empowered by a special mandate impetrated by Guala from Honorius III, publicly pronounced Alexander, his nobles and all the Scots prelates excommunicate.¹⁵⁷ Presumably echoing the terms of official letters, it spells out that the prelates were punished because they had aided the Scottish war effort, despite the ban announced in the Lateran Council,¹⁵⁸ because of Alexander's alliance with Louis and his levelling of Tweedmouth castle; and especially because of Alexander's refusal to surrender Carlisle on Guala's specific command. The last charge ties in the narrative accounts with the documentary record. The treaty of Lambeth, mediated by Guala, stipulated that Louis and Henry III should inform Alexander of the terms of the *forma pacis*, and urge him to conform by restoring to the English crown all his war gains.¹⁵⁹ On 23 September 1217 Henry's council duly ordered Alexander to deliver at once to Robert de Vieuxpont Carlisle castle, and all his prisoners and territorial conquests, according to the tenor of Louis's letter.¹⁶⁰ It was most likely soon after, on Alexander's refusal to comply, that ecclesiastical sanctions were officially imposed.

¹⁵⁵ *Chron. Melrose*, 64, 69. As a negotiating ploy, in 1207–8 there was a seven-month gap between the issue of Innocent III's mandate for an interdict on England and its promulgation; again, in 1209 ten months elapsed between the dispatch of the original mandate for John's excommunication and his public condemnation.

¹⁵⁶ *Chron. Fordun*, i, 285–6; cf. *Chron. Bower*, v, 92–3, and the important notes at 232–3.

¹⁵⁷ The 'Fordun' text omits Alexander and his nobles. Honorius III's mandate is said to have been addressed to the English priors, but no such letters can be traced. Possibly this is a garbled reference to Honorius's mandate of 17 Jan. 1217 which, at Guala's request, clarified his legate powers, and especially his authority throughout Britain to excommunicate, interdict and depose all churchmen who were the English king's enemies: *Letters of Guala*, no. 168.

¹⁵⁸ A reference to Innocent III's general denunciation, officially published on 16 Dec. 1215, of the rebel English barons and all their allies, including clergy: *Selected Letters of Innocent III*, no. 85.

¹⁵⁹ J.B. Smith, 'The treaty of Lambeth, 1217', *English Historical Review*, xciv (1979), 577–8.

¹⁶⁰ *Patent Rolls, 1216–25*, 93. The regency government sent to Alan of Galloway separate letters in similar form: *ibid.*, 94.

It is often argued that by the thirteenth century papal censures had lost much of their disciplinary value due to over-use. Even in Scotland's case they lacked the shock of novelty because in 1181 the Pope had punished William I with interdict and excommunication for insisting too blatantly on his royal rights of ecclesiastical patronage. Nevertheless, it is as well to remember that these penalties inflicted both abstention from public worship, *cessatio a divinis*, and exclusion from all the benefits of Christian society. Guala could not depend on absolute compliance: the Scots clergy's interests and inclinations dictated otherwise. Yet the logic of his ruling struck at the heart of Scottish kingship by challenging Alexander's legitimacy as a king 'by God's grace'. Again, the traditional crown-church consensus was dangerously undermined inasmuch as Alexander's war had put the entire Scottish hierarchy in an intolerable position. Not only was their authority and pastoral influence eroded, but they now found themselves utterly divorced from their other master and protector, the Pope. Spiralling conflict dismayed the senior Scots churchman, William Malveisin of St Andrews, who after attending the Lateran Council in November 1215 had discreetly delayed his homecoming and would not return to Scotland until January 1218.¹⁶¹ The compiler of *Gesta Annalia* (or his source) gave full vent to his alarm at this 'great crisis in the Scottish Church'; nor did the gravity of Scotland's predicament elude the Scots poet who indignantly proclaimed that 'The Pope is our superior so as to protect us, not to trample on or persecute us.'¹⁶² A remarkable change had indeed occurred. In 1192 the papacy had taken the *Ecclesia Scoticana* under its guardianship as a 'special daughter' of Rome; but Scotland's strongest ally in western Europe had now become a fearsome foe. Relatedly, the Scots had palpably lost the propaganda battle. Their cause could not be seen as a just war waged to right wrongs, or even as a mere squabble between neighbouring states. The Scots elite had been unmistakably branded as public enemies of Christendom at war with both the Pope and God. They thus became a clear target for all the crusading rhetoric of the Plantagenet cause, whose protagonists were quick to follow the example of Innocent III who in 1215 had thunderously condemned as 'worse than Saracens' all

¹⁶¹ Watt, *Biographical Dictionary*, 377.

¹⁶² *Chron. Fordun*, i, 285 (= *Chron. Bower*, v, 92–3); *Chron. Bower*, v, 98–9.

disturbers of England's peace.¹⁶³ Lay opinion may have remained indifferent to what has been called 'the enormous moral power of the thirteenth-century papacy'.¹⁶⁴ But from the viewpoint of Scotland's religious leaders there was only one possible solution and, for all their royalist sympathies, they surely pursued it by urging Alexander to make peace with the English crown and reconcile his kingdom to the Apostolic See.

Yet Alexander's defeat was above all a rich tribute to the superior strength and stamina of the English monarchy itself, whose resilience was all the greater because of novel shifts in English state-making and its patterns. From 1204 England was no longer simply one element within an extensive cross-Channel 'empire', as it had been under the Normans from 1066 and, more especially, under the Plantagenets from 1154. Stephen had been critically weakened by a hydra-headed opposition in England and Normandy; in 1173–4 Henry II had fought in addition for Maine, Anjou and Aquitaine. The war of 1215–17, by contrast, was the first major conflict since the Conquest in which the English crown's resources were concentrated on the defence of the kingdom alone. The strategic balance had altered fundamentally; and, for all the shock of Scottish and Capetian invasions, that made it even less likely that the Plantagenet hold on the Border counties would be broken.

There is also the matter of English political culture and its processes. If the newfangled concept of the 'community of the realm' seems at times to have been wholly vitiated by countervailing interests and allegiances, in *English* terms the conflict nevertheless remained in important respects a remarkably centralised affair—one that, for all the strength of 'Northernness', displayed little of the spontaneous rhythm and conviction of a full-blown separatist movement.¹⁶⁵ To that extent, Alexander and the leading northern barons had divergent aims and priorities, and their alliance was a looser coalition than first appearances may suggest. Nor, indeed, could even the most die-hard Borderers escape the inconvenient consequences of their increasing involvement in metropolitan English society. Robert de

¹⁶³ C. Tyerman, *England and the Crusades, 1095–1588* (London, 1988), 136–43.

¹⁶⁴ J.E. Sayers, *Innocent III: Leader of Europe, 1198–1216* (London, 1994), 80. Cf. F. Barlow, *The English Church, 1066–1154* (London, 1979), 25: 'An interdict was a sort of holiday.'

¹⁶⁵ See in particular Holt, *Northerners*, esp. xxi–xxii, xxxii.

Ros, Eustace de Vescy and other frontiersmen suffered automatic and sometimes costly forfeitures in the Midlands and the south.¹⁶⁶ They were even less likely to endorse extreme policies when their lands in the North-East were effectively left to the royalists' mercy. Thus the English crown's political authority, however attenuated, could still exercise a direct and masterful influence over baronial fortunes and behaviour.¹⁶⁷ The futility of presuming otherwise was poignantly registered by the ex-rebel Robert de Muschamp when, in c.1220, he endowed Melrose Abbey with land and pasture at Trowupburn, in the wilds of north-west Northumberland, 'for the souls of my lords Henry [II], Richard and John, kings of England . . . and for the salvation of my lord King Henry [III]'.¹⁶⁸

Last but scarcely least, there is the vastly superior fiscal-military power of a transformed, much-governing English monarchy. By 1210 John's highly developed financial system was producing totally unprecedented returns;¹⁶⁹ and revenue-raising on such a scale brought English kingship to a new peak of military capacity. Specific light is thrown by John's recorded expenditure on castles, which in 1211–15 alone amounted to some £7,000—roughly the same sum as the 10,000 merks paid for Scotland's independence in 1189. About a third of the total (£2,400) was spent on castle-works in Yorkshire, Lancashire, County Durham and the Borders. The biggest outlay by far was at Scarborough; but significant building-operations also brought Newcastle, Bamburgh and Norham into a high state of war readiness.¹⁷⁰

¹⁶⁶ For example, lands were seized from Robert de Ros in Lincolnshire, Leicestershire and Northamptonshire, as well as elsewhere (*Rot. Litt. Claus.*, i, 246b, 256a, 263b, 279b)—an experience that may have influenced his decision shortly before his death in 1226 to divide his estates, so that his younger son took charge of the baronies of Wark-on-Tweed and Sanquhar for a *reddendo* of a young hawk at Roxburgh fair: *CDS*, i, no. 976; *Cartularium Abbathiae de Rievallie*, ed. J.C. Atkinson (Surtees Soc., 1889), 360.

¹⁶⁷ The losses were not, however, all one way. On 3 April 1216 King John granted to Ranulf de Arpham 'an estate in Yorkshire, at Worsall in Cleveland, because he had forfeited land worth £15 in Scotland on account of his loyal service: *Rot. Litt. Claus.*, i, 258a.

¹⁶⁸ *Melrose Liber*, i, no. 305.

¹⁶⁹ N. Barratt, 'The revenue of King John', *English Historical Review*, cxi (1996), 835–55.

¹⁷⁰ The castle-works statistics are calculated from the tables in R.A. Brown, 'Royal castle-building in England, 1154–1216', repr. in his *Castles, Conquests and Charters: Collected Papers* (Woodbridge, 1989), 19–64.

Although John's war chest was greatly reduced following the collapse of central government in 1215, the might of the Plantagenet military machine remained very real; and there are few more telling illustrations of this point than the brutal efficiency of John's punitive northern campaign of 1216.¹⁷¹ It was spearheaded by some four hundred knights—largely Flemish *routiers*, the most proficient fighting-men in western Europe.¹⁷² They wasted with fire and sword rebel estates and residences; in Northumberland alone the towns of Alnwick, Mitford, Morpeth and Wark-on-Tweed were all levelled. John exacted numerous submissions, fines and forfeitures, and substantially rebuilt his defences by taking many rebel fortresses.¹⁷³ No less shocking was the ruthless thoroughness of his whirlwind *chevauchée* through Lothian, whose penetrative power and destructive force far exceeded those of the English counter-offensives in 1138 and 1173. Berwick's fall was accompanied by the burning of Roxburgh and surrounding villages, the firing of Haddington, the sack of Dunbar, and the storming of its castle.¹⁷⁴ Not even Coldingham Priory was spared, despite its status as a daughter-house of Durham. Roxburgh was targeted because it was a major centre of government and commerce; but Berwick, a far richer prize, bore the brunt. Captured there was one of Alexander's doorwards, Robert de Burneville, who incurred a hefty ransom of £200;¹⁷⁵ ships and their merchandise were impounded and redeployed to English ports.¹⁷⁶ The wretched townsfolk, so it was credibly reported, were tortured for their valuables by John's *routiers*; and the town itself was fired—with John allegedly initiating the conflagration by torching his lodgings. Both the castle and the bridge across the Tweed were also, it seems, destroyed.¹⁷⁷ In a mere

¹⁷¹ The main source underpinning this paragraph is *Chron. Melrose*, 61–3.

¹⁷² S.D. Church, 'The earliest English muster roll, 18/19 December 1215', *Historical Research*, lxvii (1994), 1–17; Church, *Household Knights*, 112–14.

¹⁷³ Holt, *Northerners*, 50ff, 133–7; S. Painter, *The Reign of King John* (Baltimore, 1949), 369–71.

¹⁷⁴ The storming of Dunbar castle is noted in *Chron. Fordun*, i, 284 (= *Chron. Bower*, v, 82–3), and confirmed by *Hist. des ducs*, 164.

¹⁷⁵ *Rot. Litt. Pat.*, 188b ('hostiarus [sic] regis Scotie'); *Rot. de Obl.*, 594. Robert de Burneville was the son and heir of a former sheriff of Berwick of the same name, and held land at Broxmouth (East Lothian); Raine, *North Durham*, nos. 116, 388; *Kelso Liber*, ii, no. 323. On 25 June 1216 orders were issued to release him in exchange for one of John's household knights, a prisoner of the lord of Warkworth: *Rot. Litt. Pat.*, 188b.

¹⁷⁶ *Ibid.*, 173a–b; *Rot. Litt. Claus.*, i, 259a, 260b.

¹⁷⁷ Information unique to *Chron. Fordun*, i, 284.

ten days, John had delivered a mighty blow to Alexander's war effort, the more so because long-term infrastructural damage was done. Perhaps unsurprisingly, after this 'extraordinary and unequalled devastation'—the Melrose chronicler's words—John appears to have thought that Alexander would soon accept peace.¹⁷⁸

What needs underscoring, too, is the remarkable ability of the English crown's deputies to uphold its dominance in the North-East. The honours go very largely to a veteran soldier-administrator, Philip of Oldcoates, whose war provides from the English viewpoint a classic instance of the successful 'sub-contracting of royal power to local military commanders'.¹⁷⁹ Unlike Henry II's Border captains in 1173–4, Philip could not rely on the regular support of field armies from the south and faced a predominantly hostile local nobility—with the notable exception of his righthand man Hugh de Balliol. Nor could he depend on central funding or money from the main northern castle treasuries at Nottingham and Knaresborough. But, though largely self-supporting, he nevertheless held the advantage over the Scots. In his dual role of sheriff of Northumberland and keeper of the bishopric of Durham, he commanded the key fortresses of Newcastle, Bamburgh, Durham and Norham. He led a sizeable force of knights, men-at-arms, and crossbowmen; he controlled vital North Sea shipping-lanes, intercepting traffic to the Scottish ports, and re-supplying his castles from as far afield as East Anglia; he extended his authority by extracting hostages, fines and ransoms, and by commandeering rebel estates and castles, whose seizure inflicted maximum damage on Alexander's alliance with the Northerners. Ultimately his mastery rested on the vast wealth of Durham bishopric, the richest English see after Canterbury and Winchester. The vacancy account of 1211–12 put its gross annual income at nearly £3,000. Castle-works were allocated £542; a fully equipped galley was added to an already imposing naval squadron; 97,175 crossbow bolts were stock-piled; and Norham was supplied with some 30 tons of oats, 10 tons of wheat, 6 tons of peas, 4 tons of salt, and 1,000 herring. War obviously undermined the bishopric's economy and Philip's ability

¹⁷⁸ Bishop Brice of Moray may have been used to relay peace proposals, as is implied by his safe-conduct of 15 Feb. 1216 in going to Scotland (on his way back from the Lateran Council) and returning to John's court: *CDS*, i, no. 638.

¹⁷⁹ R. Eales, 'Castles and politics in England, 1215–1224', *Thirteenth Century England*, ii (1988), 31.

to support himself from it; but in 1215–16 even Scarborough's garrison relied on him for pay. Whereas Robert de Vieuxpont's provincial hegemony disintegrated under Scottish pressure, Philip's seems merely to have become more entrenched—so much so that after the war a nervous English government reassigned him to serve as seneschal of Poitou.¹⁸⁰

Here, at the all-important local level, the defensive power of the thirteenth-century English crown was pointedly and persuasively revealed; and the Scots had no answer to it. Every assault on Northumberland ran rapidly into the sand, and Alexander's position in the North-West became increasingly untenable. In consequence his war effort simply petered out through lack of resources, technology and resolve, and it could be—and was—relegated to a mere side-show in terms of Plantagenet priorities and propaganda. Retrospectively the English government labelled the hostilities of 1215–17 as the 'great war'; but also, and more revealingly, as a war 'to deliver England from the French'. Even in September 1217 Henry III's council bluntly dismissed Alexander's occupation of Carlisle as 'due to the war between us and Prince Louis'.¹⁸¹ Militarily, and in the historical record, the Scots were firmly put in their place.

Nor is there any mistaking that the war ended in a crushing political humiliation for Alexander and the Scots. Cardinal Guala laid the groundwork for a settlement by offering Alexander absolution in exchange for the return of Carlisle, agreement to a perpetual peace, and payment of reparations—the last in stark contrast to the indemnity of 10,000 marks guaranteed to Louis by the English government in September 1217. On 1 December at Berwick Alexander ordered Carlisle's surrender, and he and his lay familiars were absolved by Guala's delegates Walter de Gray, archbishop of York, and Richard Marsh, the newly appointed bishop of Durham. On 4 December

¹⁸⁰ In general on Oldcoates, see Holt, *Northerners*, 222–3, 241–6; Carpenter, *Minority of Henry III*, 57, 71–2, 201–2. Knights . . . and crossbowmen (both mounted and foot): *Pipe Roll 5 Henry III*, 100, 180; *Rot. Litt. Claus.*, i, 192b. Shipping-lanes: *ibid.*, 256a, 259b; *Rot. Litt. Pat.*, 173b, 194b, 198a. Hostages, etc.: *Rot. de Obl.*, 572–3, 594. Vacancy account: *Pipe Roll 14 John*, 46–8. Scarborough's paymaster: *Rot. Litt. Claus.*, i, 214b, 276a.

¹⁸¹ *Royal Letters*, ii, no. 515; *Pipe Roll 17 John and Praestita Roll 14–18 John*, 14; *CDS*, i, no. 672.

Queen Ermengarde was absolved by Marsh.¹⁸² Soon after Alexander came before Henry III and Guala at Northampton to confirm the peace, and by 19 December he had returned to the English crown's allegiance as lord of Tynedale and the Huntingdon honour.¹⁸³

Such a submission, unlike the captive William I's in 1174, did not in itself compromise Scotland's sovereign autonomy; it merely restored the pre-war position in line with the treaty of Lambeth's provisions concerning lay rebels who returned to obedience. Otherwise, however, the Scots were made fully aware of their defeat and dishonour. Absolution from excommunication is and was a judicial act; *English* churchmen—the one (Gray) an ex-royal chancellor, the other (Marsh) his successor—had thus asserted their jurisdiction over the Scots king and his court.¹⁸⁴ Again, just as Guala had withheld an amnesty from rebel English churchmen, so Alexander was unable to get the Scots clergy included in the peace; and Guala's retribution involved a sustained display of authority that not only inflicted much psychological anguish but gravely undermined the independence of the Scottish Church and the kingdom itself. What the sources suggest is that on or about 6 December 1217 an embargo on public worship limited hitherto to the Scots elite and their lands was superseded by a general interdict extending the ban to embrace the whole community and realm. Moreover, even ordinary Scots clergy were evidently presumed by Guala to have incriminated themselves as enemies of the Roman Church; they—like the excommunicate prelates—would remain such until they had made amends and received absolution for their sins.¹⁸⁵

¹⁸² *Chron. Fordun*, i, 286 (= *Chron. Bower*, v, 92–5); *Chron. Melrose*, 69. By 4 Dec. Gray had already left the Scottish court to take charge of Carlisle.

¹⁸³ *CDS*, i, no. 686. *Gesta Annalia* in *Chron. Fordun*, i, 286 (but not in *Chron. Bower*), is specific that damages were also paid.

¹⁸⁴ What indignities, and what formal penance, Alexander was personally subjected to are unknown. *Chron. Melrose*, 69, records that when in Sept. 1217 Louis had received absolution from Guala, he was 'ungirded and barefoot'—in fact, he was stripped to his underwear, but covered by a mantle: *Letters of Guala*, no. 57. That the Melrose chronicler passes over in silence the ritual of Alexander's absolution is no proof that he was spared similar humiliation.

¹⁸⁵ These issues are inadequately addressed in the secondary literature. *Gesta Annalia* refers to an earlier imposition of interdict on Alexander, his army and the entire kingdom; but elsewhere is definite that a general interdict was not inflicted until c.6 Dec. 1217: *Chron. Fordun*, i, 285, 287 (= *Chron. Bower*, v, 92–5). *Chron. Melrose*, 64, 69, supports the view that hitherto the sentence of interdict had embraced only Alexander and his chief supporters. As for Guala's attitude towards the lesser clergy, the public excommunication of Scots churchmen in c.Sept. 1217 had clearly

The full impact of these stringent measures was graphically revealed in 1218.¹⁸⁶ In February Guala's agents Prior William of Durham and Master Walter of Wisbech entered Scotland to release from interdict and excommunication the Scots people and priesthood, excluding clerics who merited special punishment. They began their circuit of the kingdom at Berwick, and routinely levied heavy procurations for their expenses as they moved about. At Edinburgh Alexander and his lay counsellors were required to swear individual oaths to obey papal precepts and the rulings of the Church;¹⁸⁷ and in town after town the English inquisitors stage-managed a whole series of degrading public spectacles: the local clergy were summoned before them for the extraction of like pledges and confession of their guilt; absolution was then granted as they stood in the wretched guise of penitents outside the closed doors of their churches.¹⁸⁸ But Guala's commissioners insisted that some prelates should remain suspended; they refused outright to absolve the bishops, who thus remained deprived of their rights as both clergy and Christians; and they likewise withheld absolution from royal clerks and chaplains, and from any beneficed clerics who had overtly supported the Scottish war effort. All would have to submit to the judgement of Guala or the

applied only to the prelates, and no such sentence was apparently published against the rank and file, with the exception of the Cistercians (April 1218). It is nevertheless possible, as seems to be implied in *Chron. Fordun*, i, 287 (= *Chron. Bower*, v, 94–5), that they were assumed by Guala to be actually excommunicate rather than merely contumacious. Perhaps he was influenced by the views of contemporary canonists, who distinguished between excommunication *ferendae sententiae*, inflicted by a formal judicial act, and excommunication *latae sententiae*, incurred automatically by reason of a particular offence. Whatever the case, Guala was acting in accordance with the exceptionally broad disciplinary authority conferred on him by Honorius III (see n. 157 above).

¹⁸⁶ This paragraph is based on *Chron. Melrose*, 70–1, and *Chron. Fordun*, i, 287–8 (= *Chron. Bower*, v, 94–7). See also *Letters of Guala*, nos. 68, 113–15, and, more generally, Ferguson, *Papal Representatives*, 79–81. Both, however, need to be used circumspectly.

¹⁸⁷ Too much has been made of the political significance of these oaths in Duncan, *Making of the Kingdom*, 525, and Ferguson, *Papal Representatives*, 81, which ignore the fact that they were conventional expressions of reconciliation to the Church.

¹⁸⁸ *Chron. Fordun*, i, 287, in describing these clergy as 'naked', may not exaggerate unduly, especially since some possibly underwent penance in the form of a public scourging: cf. *Chron. Melrose*, 67. But note *Chron. Bower*, v, 94–5 ('barefoot'), and *The Original Chronicle of Andrew of Wyntoun*, ed. F.J. Amours (Scottish Text Soc., 1903–14), v, 79 ('bareheaded, barefoot and barelegged'). Wyntoun plausibly adds that prior to absolution the clergy were also required to undertake to uphold peace towards the king and kingdom of England.

Pope himself. Furthermore, the Cistercians were severely disciplined for continuing to celebrate mass and administer the sacraments notwithstanding Guala's ruling that his ban automatically overrode the papal privileges granting their order exemption from interdict, excommunication and suspension. On 8–9 April Master Walter convened a council at Berwick where, before most of the Scots hierarchy, he pronounced a formal sentence of excommunication against all Cistercian monks in Scotland, and all associated with them. The Cistercians appealed to Rome in defence of their immunities; but their continued defiance merely hardened Guala's resolve to impose his jurisdiction. At York he berated the abbots of Melrose, Newbattle, Coupar Angus, Kinloss and Culross, and forced them to instruct their convents to observe the interdict. In mid-April many leading Scots churchmen appeared before a tribunal held by Guala at Northallerton, symbolically important as the town nearest to the battlefield of the Standard. Some he absolved but only, so it was said, after he had extorted substantial bribes (or pecuniary penances?); others remained suspended at his pleasure or were completely deprived of their benefices; and some—including the bishops of Caithness, Glasgow and Moray—were required to make the arduous and expensive journey to Rome and go before the Pope for absolution and penance.¹⁸⁹ Finally, in June or July 1218, the Scottish Cistercians received absolution by Guala's mandate, his agent being William Malveisin, the only Scots prelate to escape relatively unscathed from the events of 1215–17 thanks to his self-imposed exile in France.¹⁹⁰

What was the legacy of the war for the development of the thirteenth-century Scottish polity? Relations with the papacy swiftly returned to normal. In November 1218 Honorius III, addressing Alexander as 'his well-beloved son in Christ', issued a solemn privilege

¹⁸⁹ The chancellor William del Bois, who managed to obtain personal absolution from Guala, was excused travelling to Rome only because of a riding accident in which he had broken three ribs and (interestingly) his claim that if he withdrew from Alexander's service he would expose himself and his family to the prospect of exile. Nevertheless, he had to appear before the Pope by proxy in order to be reinstated in his offices and benefices: Theiner, *Vet. Mon.*, no. 16; *Letters of Guala*, no. 131.

¹⁹⁰ It was perhaps in 1218 that Alexander expressed his sense of obligation to the Cistercians by contributing £20 yearly to the running costs of the Cistercian general chapter: *Charters of the Abbey of Coupar Angus*, ed. D.E. Easson (Scottish History Soc., 1947), i, no. 27.

renewing the status of the Scottish Church as a *filia specialis* of Rome, and thereby affirmed both its formal rehabilitation and its customary independence. In 1223 he effusively commended Alexander as a champion of the Christian faith for his prompt and stern punishment of the murderers of Bishop Adam of Caithness; and in 1225 he permitted the Scots bishops to strengthen the rights and authority of their Church by establishing a provincial council.¹⁹¹ England remained a papal fief whose interests had to be protected—as, for example, in 1221 when Alexander's request for a papally authorised coronation was rejected because 'he is said to be subject to the English king'.¹⁹² Nonetheless, Honorius encouraged Pandulf Masca, the new papal legate in England (1218–21), to harness all his diplomatic talents to furthering Anglo-Scottish peace.¹⁹³ In July 1220 the Scots nobility was prominently represented at Canterbury for the translation of St Thomas's relics; and nowhere was the new accord between the realms more manifestly displayed than by Alexander's marriage to Henry III's sister Joan in York Minster on 19 June 1221, 'to the great joy', noted the Melrose chronicler, 'of all the inhabitants of both kingdoms'.¹⁹⁴

Yet for all these suggestions that the war was swiftly forgotten, there is no doubting its formative influence on the perception, exercise and organisation of power within the 'British' political arena. Although Alexander could scarcely have hoped to fight a more weakened Plantagenet enemy, his kingship and kingdom had been comprehensively shamed. It was thus driven home conclusively to the Scots that, even in the most helpful circumstances, expansionist warfare against the English monarchy was no longer a feasible option; that its preponderance as by far the strongest 'British' power was now truly indestructible; and that power contests on the Davidian pattern had to be consigned firmly to the past. But strategic readjustment was a two-way process; for the fact remains that the English government, despite its rhetoric to the contrary, had been deeply alarmed by Alexander's military and diplomatic initiatives—not least

¹⁹¹ Respectively, Stones, *Anglo-Scottish Relations*, no. 5; Theiner, *Vet. Mon.*, no. 49; and D.E.R. Watt, 'The provincial council of the Scottish Church, 1215–1472', in *Medieval Scotland: Crown, Lordship and Community*, ed. Grant and Stringer, 140–55.

¹⁹² Ferguson, *Papal Representatives*, 87–8.

¹⁹³ Cf. *ibid.*, 81–4.

¹⁹⁴ Stringer, 'Periphery and core', 93; *Chron. Melrose*, 75.

his march to Dover and the Scoto-French alliance.¹⁹⁵ Memories of 1215–17 therefore helped to redefine the agendas of both crowns, and simultaneously injected a new realism into the conduct of Anglo-Scottish relations. While tension was never far beneath the surface, their history from 1217 to the outbreak of the Wars of Independence in 1296 is one of unbroken peace, and this long period of stability—the most sustained Anglo-Scottish ‘cease-fire’ in the entire Middle Ages—owed much to Alexander’s readiness to settle or play down his political differences with Henry III.¹⁹⁶ On Henry’s side, whereas his attitude towards the residual Welsh and Irish ‘kingships’ became increasingly uncompromising, he normally respected Scotland’s identity as a distinct self-governing kingdom, and Alexander thereby secured more recognition of Scottish independence than William I had ever achieved. Crucial to this new *modus vivendi* was the treaty of York of 1237. Alexander formally repudiated the old yearnings for southern expansion by renouncing for good all claims to Northumberland, Cumberland and Westmorland, the treaty being fully implemented in 1242 when he gained in compensation a tenancy-in-chief of five Cumberland manors centred on Penrith.¹⁹⁷ Thus were ‘British’ spheres of power more firmly agreed and demarcated. Furthermore, the advance of the Scottish state in the north and west was not only Alexander’s chief peace dividend, so to speak, but a more direct by-product of his English war inasmuch as out of it had grown the irrefutable conviction that royal energies should be concentrated on frontier territories where a better match could be achieved between resources and objectives. Although previous Scots kings had scarcely ignored the ‘Celtic’ periphery, the intensification of effort is unmistakable—to the extent that by Alexander’s death on Kerrera in 1249, he had secured an unparalleled hegemony over the Scottish mainland and its peoples, and seemed poised to conquer the Western Isles. Lastly, it may well be that Alexander’s experiences with the Northerners contributed to his purposeful promotion of a sterner and

¹⁹⁵ Hence it is easier to understand Henry III’s panic when Alexander married as his second wife in 1239 Marie de Coucy—the daughter of Prince Louis’s chief military captain in England in 1216–17, Enguerrand de Coucy: Petit-Dutaillis, *Louis VIII*, 98–9, 145.

¹⁹⁶ For a recent review, see K.J. Stringer, ‘Scottish foundations: thirteenth-century perspectives’, in *Uniting the Kingdom? The Making of British History*, ed. A. Grant and K.J. Stringer (London, 1995), 85–96.

¹⁹⁷ Stones, *Anglo-Scottish Relations*, no. 7; *CDS*, i, no. 1575.

less easygoing concept of Scottish royal authority, encapsulated in his famous riposte to Ewen Macdougall of Argyll that 'no man can serve two masters';¹⁹⁸ no doubt, too, a stronger sense of Scottish identity had already begun to be forged by the well-attested resentment at the burdens inflicted on the kingdom in 1217–18. Other events and circumstances played their part, of course. But, defeated though he was, Alexander's war of 1215–17 had a focal significance for the making of 'greater Scotland' as a European-style nation-state, and for the moulding of the future shape of 'British' history as a whole.

¹⁹⁸ Paris, *Chron. Majora*, v, 89.

*Appendix**Table 1. Attestors of Alexander II's Acts, 1215-17*

This table is based on the twenty-three *acta* in *RRS*, iii (forthcoming), which can be dated with some confidence to the first three years of Alexander's reign. (Regnal-year dating was not introduced as a regular complement to day-of-month dating until 1222.) I am most grateful to Mr W.W. Scott for much help in revising the dates of the king's earliest acts, both in his published articles and through personal correspondence. Basic are his 'An early Stewart minority', *The Stewarts*, xiv (1972), 46-50, and 'Fordun's description of the inauguration of Alexander II', *SHR*, I (1971), 198-200. Attestors who evidently witnessed in 1215 are signified by asterisks; the figures given in brackets, compiled from *RRS*, ii, and *CDS*, i, no. 2276, denote recorded occurrences at William I's court. Needless to say, the statistical approach adopted here produces only crude, even distorted, results; but they at least give some indication of the make-up of the court-based elite in 1215-17.

<i>Chief Attestors</i>	<i>Occurrences</i>
*William del Bois, king's chancellor	20 (66)
*William de Valognes, king's chamberlain (from Nov. 1215)	11 (15)
*Malcolm, earl of Fife	10 (43)
*John of Maxwell	9 (7)
*Walter Comyn	8 (5)
William Comyn, earl of Buchan and justiciar of Scotia	8 (87)
*David, king's marischal	8 (14)
*Thomas of Lundie, king's doorward	8 (1)
Robert de St Clair (Sinclair)	8 (1)
*Jordan Comyn	7 (3)
*Robert, king's chaplain	7 (33)
*Malcolm de la Hay, king's butler	6 (1)
*Hervey, king's marischal	6 (5)
*Walter of Lindsey	5 (6)
*John de Moravia	5 (1)
*Philip de Valognes, king's chamberlain (d. Nov. 1215)	5 (151)
Geoffrey son of Richard, sheriff of Perth	4 (-)
*Thomas de la Hay	4 (1)
*Philip de Mowbray	4 (21)
<i>Some other Attestors</i>	
*Saer de Quincy, earl of Winchester	2 (7)
*Eustace de Vescy	2 (1)
*Robert of London, king's illegitimate brother	1 (57)
Robert de Ros	1 (2)

Table 2. Lay Landholders in Cumberland and Westmorland supporting the Scottish Occupation, 1216–17

Most of the entries are extracted from the English chancery close rolls of 1217, which list rebels who returned to obedience and gained writs of seisin for their (unspecified) pre-war lands, technically forfeit due to rebellion: cf. Holt, *Northerners*, 37–40. Two crucial wartime charters, one by Alan of Galloway as lord of Appleby and the other by Robert de Vaux of Gilsland, provide a significant number of extra names: Stringer, 'Periphery and core', 105–7; *Lanercost Cart.*, no. 28. Local and other records have been consulted in order to locate as far as possible the Cumbrian properties concerned. Writs of seisin were sometimes directed to more than one shire, as is shown; and landholders with estates in both Cumberland and Westmorland are listed twice. Lords of Cumbrian baronies are distinguished in bold; ordinary county knights by kt; and cross-Border proprietors by asterisks.

CUMBERLAND

Allerdale Barony

Thomas of Moulton, kt, custodian of half-barony

Richard le Brun, kt, of Bothel

Alan Buche, kt, of Bromfield

*Ranulf of Bunkle, kt, of Gilcrux and Uldale

Adam of Derwentwater, kt, of Castlerigg and Tallentire; writ also directed to Westmorland

William of Plumbland, kt

Henry of Redmain, kt; also Westmorland, Lancashire

*Alan of Rule, kt, of Dovenby

Burgh-by-Sands Barony

Richard Gernun (half-barony)

Ada de Morville, heir of other half-barony; also Westmorland

Ralph de la Ferté, kt, of Bowness-on-Solway

Robert de la Ferté

*William son of Derman, kt, of Whiteholme

Copeland Barony

Thomas of Moulton, kt, custodian of barony

Gilbert son of Gilbert, kt, of Distington

Hugh of Moresby, kt

Alan of Pennington, kt, of Muncaster; also Westmorland, Lancashire

Richard son of Alan, of Santon; also Lancashire

Gilsland Barony

Robert de Vaux

*Richard de Bosco, of Talkin

Robert of Castle Carrock, kt

John of Denton

Philip of Hastings

Alan Malecake, of Brampton; also Yorkshire

Thomas de Richeburg, kt, of Newbiggin; also Yorkshire, Suffolk

Robert son of Adam, kt

Robert son of William, of Tercrosset

Greystoke Barony

Helewise de Stuteville, widow of **William son of Ranulf**

William of Johnby, kt

Kirklington Barony

***Richard of Levington**; also Berkshire

William of Alstonby

Roger of Levington, of Westlinton

Liddel Barony

Nicholas de Stuteville (d. c. June 1217)

***William de Valognes**, kt, custodian of barony from c. June 1217; also Northumberland, Yorkshire, Lincolnshire, Huntingdonshire, Cambridgeshire

Robert de Solum

Others (tenants-in-chief named first)

Adam son of Odard, kt, of Wigton

***Robert de Brus**, kt, of Edenhall

Thomas de Burgh, kt, of Skirwith; also Northumberland, Yorkshire, Nottinghamshire, Lincolnshire, Norfolk, Suffolk

Henry of Raughton

Reginald of Raughton

Thomas of Raughton

***Robert de Ros**, kt, of Carlatton, Castle Sowerby, Farmanby and Upperby; also Yorkshire, Lincolnshire, Leicestershire, Northamptonshire, Bedfordshire

Adam of Staveley, kt, of Renwick; also Yorkshire, Lancashire

Adam son of William

Thomas de Bacton

Roger de Beauchamp, kt, of Staffield; also Westmorland, Northumberland

***Eudo of Carlisle**, kt, of Cumwhinton; also Westmorland, Yorkshire, Lincolnshire, Norfolk

John of Carlisle

Reginald of Carlisle, of Newby in Cummersdale

***Thomas de Chartres**, kt; also Wiltshire, Sussex

Robert of Houghton

Ivo of Raughton

Hugh Ridel

William Trussebut, kt; also Lincolnshire, Leicestershire

Robert de Turp, of Edenhall

***Ivo de Vieuxpont**, kt, of Alston

WESTMORLAND

Appleby Barony

***Alan of Galloway**

Roger de Beauchamp, kt, of Knipe; also Cumberland, Northumberland

Margaret of Branxton

***Eudo of Carlisle**, kt; also Cumberland, Yorkshire, Lincolnshire, Norfolk

Adam of Derwentwater, kt, of Bolton; also Cumberland

Agnes of Derwentwater

Thomas of Hastings, of Crosby Ravensworth; also Yorkshire

William of Hillbec

John of Lowther

Nicholas of Morland

Thomas of Morland

Ada de Morville; also Cumberland

John of Newbiggin

Simon of Orton, kt

Alan of Pennington, kt, of Orton; also Cumberland, Lancashire

Wigan of Sandford; also Yorkshire

Thomas of Tebay

John of Thrimby

Simon de Venatio

Hugh de Vieuxpont

*Ivo de Vieuxpont, kt, of Maulds Meaburn

William of Warcop

Kendal Barony

Gilbert fitz Reinfrey; also Yorkshire, Lancashire, Berkshire

Ralph d'Aincurt, kt, of Sizergh

Hugh of Hopeshall; also Yorkshire

Roger of Lancaster, kt, bastard son of **Gilbert fitz Reinfrey**

Ralph de Mencurt; also Leicestershire

Henry of Redmain, kt, of Levens; also Cumberland, Lancashire

Thomas son of Ranulf, kt, of Mansergh

SCOTLAND AND THE PAPACY IN THE REIGN OF ALEXANDER II

Andrew D.M. Barrell

The relationship between Scotland and the Papacy in the Middle Ages was constantly evolving. It was influenced not only by developments within the Scottish realm and by international events, but was also affected by the increasing bureaucracy of the papal curia and the tendency towards centralisation that that bureaucracy engendered. At times relations were cordial; on other occasions, for reasons of high politics as much as for religious considerations, they were severely strained. But throughout the period from at least the early twelfth century to the Reformation, Scotland's links with the Apostolic See remained unbroken. Among other activities, the Papacy made many appointments to bishoprics and lesser benefices, granted a wide range of dispensations and licences, confirmed grants and agreements, and provided justice that was widely perceived to be impartial. Scottish monarchs dealt with popes in their capacity as secular princes as well as acknowledging them as the spiritual leaders of western Christendom. It was, in short, a complex and multi-faceted relationship involving a broad range of individuals and groups within Scotland.

This essay offers an analysis of Scoto-papal relations during the reign of Alexander II, while endeavouring to place developments within a broader historical context. The latter is made difficult by the changing nature of the source material, but must be attempted if we are to arrive at an adequate understanding of the nature of the relationship between Scotland and the Papacy in Alexander's reign.

Relatively few papal bulls to Scotland survive from the twelfth century, and those that do essentially fall into two groups. Firstly, religious houses frequently sought confirmation of the many grants of lands, privileges and immunities that they had received from monarchs and other donors. The ensuing bulls were carefully preserved and subsequently copied into cartularies as priceless documentation that could be produced in any disputes that might later arise. The

second group consists of bulls that were, broadly speaking, political in nature. Some deal with the unsuccessful attempts by David I to have the see of St. Andrews raised to metropolitan status and the long struggle in which the archbishops of York attempted to maintain their theoretical jurisdiction in Scotland. Others relate to interference by the king in the appointment of bishops, most notably the long and acrimonious dispute over St Andrews from 1178 onwards. Political matters of this kind sometimes led to the appointment of papal legates, who were usually concerned with narrower ecclesiastical matters as well as with the wider political and diplomatic scene. The texts of many bulls of this type survive only in chronicles, although some were also copied into cartularies.¹

In the thirteenth century our knowledge of papal relations with Scotland is greatly enhanced by the survival of the earliest of the great series of papal registers. Although relatively few bulls were registered at the papal curia at this period, perhaps as few as a tenth of those issued,² the survival of the registers gives us an insight into matters that were insufficiently important to be entered for posterity into cartularies or chronicles. It is likely that there was a general increase in the number and range of contacts between Scotland and the Apostolic See in the thirteenth century, although this cannot be quantified. While many surviving bulls still deal with political matters and confirmations of grants to monasteries, there is also much more evidence concerning the exercise of the pope's judicial authority, and the emergence, for the first time in the Scottish context, of papal provisions and licences to hold benefices in plurality.

At the level of high politics, relations between the Papacy and Alexander II's Scotland were largely determined by the unprecedented interest that the Apostolic See had in the internal affairs of England following the submission of King John to Innocent III in 1213. Papal backing was an important factor in the succession of the young Henry III, and the continuing gratitude of Henry towards the Apostolic See was a significant feature of his long reign. It is

¹ All papal bulls concerning Scotland in the twelfth century are listed and discussed in R. Somerville, *Scotia Pontificia* (Oxford, 1982). See also A.D.M. Barrell, 'The background to *Cum universi*: Scoto-papal relations, 1159–1192', *Imes Review*, xlv (1995), 116–38.

² C.R. Cheney, 'The study of the medieval papal chancery', in his *The Papacy and England, 12th–14th Centuries* (London, 1982), no. 1, additional note.

hardly surprising that papal legates based in England viewed Scottish affairs from a perspective that at times was openly hostile to Alexander II's political ambitions.

This is perhaps most clearly seen during the legation of Guala. In 1216 Scotland was laid under interdict because of Alexander II's armed support for the French prince Louis against John and Henry III, although the sentence was not enforced immediately. In return for absolution from excommunication in December 1217 the Scottish king had to surrender Carlisle, after which the interdict went into effect, forcing the Scottish clergy to seek absolution from Guala or his representatives; the more prominent ecclesiastics and members of the royal household had to obtain pardon personally from the legate, who was not always willing to grant it immediately or unconditionally. The interdict was defied by the Cistercians, who relied on papal privileges granted to their order.³ The legate's actions against the white monks mean that Cistercian sources such as the Melrose Chronicle are very hostile to Guala, and his later reputation in Scotland is illustrated by the comment of Walter Bower in the fifteenth century that he 'had to such an extent become an Englishman that it was as if he had been born in England'.⁴ However, while Guala's actions were sometimes arbitrary and he himself personally vindictive, the fact remains that Alexander II had endeavoured to take advantage of tensions in England at the end of John's reign, and it was inevitable that as a result he would incur the legate's wrath.

In 1218 Guala left England and was replaced as legate by Pandulf.⁵ As with his predecessor, Pandulf's main task was to promote stability in England, and his intervention in Scottish affairs stemmed from this consideration or from *ad hoc* mandates. He was involved in the negotiations between Alexander II and Henry III, and assisted

³ *The Chronicle of Melrose*, ed. A.O. Anderson and M.O. Anderson (London, 1936) [hereafter *Chron. Melrose*], 64, 69–70; Walter Bower, *Scotichronicon*, ed. D.E.R. Watt and others (9 vols, Aberdeen and Edinburgh, 1987–98) [hereafter *Chron. Bower*], v, 93–7. The pope personally absolved some individuals: *Vetera Monumenta Hibernorum et Scotorum Historiam Illustrantia*, ed. A. Theiner (Rome, 1864) [hereafter Theiner, *Vet. Mon.*], 6–7; *Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland: Papal Letters*, ed. W.H. Bliss and others (London and Dublin, 1893–) [hereafter *CPL*], i, 55, 59.

⁴ *Chron. Bower*, v, 133.

⁵ On Pandulf's legation see generally P.C. Ferguson, *Medieval Papal Representatives in Scotland: legates, nuncios, and judges-delegate, 1125–1286* (Stair Society, 1997), 81–4.

in arranging the formal settlement at York in June 1220, but there is no evidence that he was ever formally constituted as legate in Scotland. When Pandulf was asked to involve himself in lawsuits there, Honorius III stressed that this was because he was best placed to do so rather than as a result of his position as legate. He was encouraged to commit the investigations to persons within Scotland if possible.⁶ This delicacy suggests awareness on the part of the pope of the controversy surrounding the activities of papal legates in Scotland. In the late twelfth century the bull *Cum universi* had laid down that no legate could serve in Scotland unless he was himself Scottish or had been sent specially by the Apostolic See. This was a response to the attempted use of legatine powers within the Scottish kingdom by Archbishop Roger of York on the basis that Scotland formed part of his province. Pandulf's position was admittedly different from that of Roger, but any unnecessary involvement by him in Scotland might well have led to tension, especially with the memory of Guala still fresh. Honorius III had reissued *Cum universi* on 21 November 1218, and was clearly eager not to antagonise Alexander II once the exceptional crisis dealt with by Guala had been consigned to the past.⁷

Perhaps as a mark of the independence of Scotland in this regard, in July 1220 Honorius appointed his chaplain and penitentiary James as legate to Scotland and Ireland.⁸ James visited Scotland in the early part of 1221. Unlike some of his contemporary counterparts in England, he concentrated on ecclesiastical affairs, including the holding of a council at Perth in February⁹ and the conduct of a range of judicial business. Alexander II took advantage of the opportunity presented by his mission to request coronation by the legate, but the pope advised James that such a ceremony should not be performed without the consent of Henry III and his counsellors since the Scottish king was said to be subject to the king of England.¹⁰ Such a response shows the continuing papal inclination towards

⁶ *Ibid.*, 83–4, 198–9; Theiner, *Vet. Mon.*, 13; *CPL*, i, 61.

⁷ The bull of 1218 is printed in *Anglo-Scottish Relations, 1174–1328*, ed. E.L.G. Stones (repr., Oxford, 1970), no. 5. For a discussion of the date of the original bull see Barrell, 'Background to *Cum universi*', 128–37.

⁸ Theiner, *Vet. Mon.*, 15–16; *CPL*, i, 74.

⁹ *Chron. Melrose*, 72, 75.

¹⁰ *CPL*, i, 83.

England and the pope's determination to preserve the situation as it already existed.

Alexander continued to press both for the coronation rites which would strengthen his argument against subjection to the English crown, and for the return to Scotland of the three northernmost counties of England. Gregory IX, however, continually disappointed him: in January 1235 he urged the Scottish king to make peace with England,¹¹ and in April 1236 he wrote to Alexander exhorting him to observe his oath of fealty to Henry III.¹² In the Treaty of York of September 1237, in the presence of the legate Otto, Alexander abandoned his claims to extensive territory in northern England, although in return he received some lands in Northumberland and Cumberland.¹³ As well as the powers granted to him in England, Otto had a separate commission specifically for Scotland, and he certainly visited Scotland in the autumn of 1239 and held a council on 19 October.¹⁴ The chronicler Matthew Paris states that this visit was opposed by the king, who remained north of the Forth; Alexander had allegedly already objected to Otto's plans to go to Scotland during the negotiations at York in 1237, on the grounds that no legate had ever visited Scotland before.¹⁵ However, it is extremely improbable that the Scottish king would have used an absurd argument that was so easily refuted, nor is it likely that he sought to deter Otto by saying that he could not restrain his wild subjects. Matthew Paris may simply have invented the story of the king's opposition to Otto's mission, perhaps as a product of his renowned antipathy to the Papacy, but it is not impossible that Alexander sought safeguards against Otto's visit being used as a precedent by future English legates. The king's desire to maintain the relationship laid down in *Cum universi* is manifest on several occasions during his reign, and it is clear that he had a keen appreciation of the dangers of handing legal ammunition to his adversaries, in either the political or the ecclesiastical sphere.

¹¹ Stones, *Anglo-Scottish Relations*, no. 6.

¹² Theiner, *Vet. Mon.*, 33.

¹³ Stones, *Anglo-Scottish Relations*, no. 7.

¹⁴ *Chron. Melrose*, 86–7. For Otto's mission generally see Ferguson, *Medieval Papal Representatives*, 89–96; D.M. Williamson, 'The legate Otto in Scotland and Ireland, 1237–1240', *Scottish Historical Review*, xxviii (1949), 12–30.

¹⁵ Matthew Paris, *Chronica Majora*, ed. H.R. Luard (London, 1872–83), iii, 414, 568.

Thirteenth-century legates were often charged with the task of bringing to local churches the reforms laid down in the Fourth Lateran Council of 1215, which had been attended in person by at least three Scottish bishops and the abbot of Kelso, with other prelates sending representatives.¹⁶ The extent of the implementation of the Council's reforms is, however, hard to gauge. When in 1225 Honorius III instructed the Scottish bishops to hold a provincial council even though they had no metropolitan, he specifically mentioned the danger that the Council's statutes might be disregarded and irregularities remain unpunished,¹⁷ but in many areas some stimulus from papal legates also seems to have been required. In England, the statutes of Otto remained influential for the remainder of the Middle Ages, but it is unlikely that the cardinal had such lasting impact in Scotland. His commission as legate in Scotland in May 1237 refers to his obligation to correct and reform the church as necessary,¹⁸ and at his council at Holyrood in October 1239 he probably reissued his London canons; he also acted as a judge in several cases relating to Scotland.¹⁹ But his impact, at least in the short term, seems to have been less than that of James; there is no evidence, for instance, that he was involved in judging the question over recent elections to the bishopric of St Andrews.²⁰ Otto's apparent support for the English cause in the negotiations of 1237 doubtless led to some suspicion about his motives, even if Alexander II's opposition was less blatant than Matthew Paris alleged.

Religious houses continued the twelfth-century practice of seeking papal confirmations of their possessions and rights. Sometimes these were granted in broad terms with considerable detail, as in the confirmation to Scone of its churches, lands, revenues and other possessions and immunities, issued by Honorius III on 17 December 1226,²¹ or the similar privilege bestowed upon St Andrews priory by Innocent IV on 19 June 1248.²² On other occasions, a particular

¹⁶ *Chron. Melrose*, 61. The bishops of St Andrews and Glasgow were summoned by Gregory IX to attend a council in Rome in 1241, but the journey proved too dangerous and they never reached their destination: *ibid.*, 87, 88–9.

¹⁷ *Statutes of the Scottish Church, 1225–1559*, ed. D. Patrick (Scottish History Society, 1907), 1.

¹⁸ Theiner, *Vet. Mon.*, 34–5.

¹⁹ Ferguson, *Medieval Papal Representatives*, 94–6.

²⁰ Williamson, 'Legate Otto', 24.

²¹ *Liber Ecclesie de Scon* (Bannatyne Club, 1843) [hereafter *Scone Liber*], 66–9.

²² Theiner, *Vet. Mon.*, 50–1.

transaction or agreement was corroborated by papal authority. For example, in January 1236 Gregory IX confirmed the royal grant made in the previous year bestowing lands in Blairgowrie on Scone abbey.²³ In February 1239, the same pope confirmed the bishop of Brechin's grant of the church of Dundee to Lindores.²⁴ Other papal bulls granted special privileges to particular houses and sometimes to individual abbots. The monks of Dunfermline were granted indults that they could not be cited beyond the Forth to answer cases relating to their possessions in *Scotia*,²⁵ and in 1245 their abbot was given the right to use pontifical insignia and grant minor orders.²⁶ In July 1225 Honorius III exempted the abbot of Scone from further involvement in papal commissions, since he had apparently found dealing with such mandates to be damaging to his spiritual life.²⁷

Examples of such contacts could be multiplied, but recourse to the pope by monasteries must not be taken out of context. It was natural for religious houses to seek confirmation of their rights from all relevant authorities, lay and ecclesiastical. Cartularies contain many episcopal and royal charters of confirmation as well as papal bulls, as houses sought to strengthen their position in case of any subsequent challenge. Such caution is indicative of a legalistic approach on the part of monasteries, but it was not necessarily a sign of weakness, still less of despair; on the contrary, the large number of confirmations sought by monasteries throughout Scotland reflects the continuing munificence of lay benefactors towards them. Nor should we unduly condemn occasional relaxations of monastic austerity, as, for instance, when in 1245 Innocent IV permitted the monks of Dunfermline to wear caps as a protection against the cold.²⁸ Some regulations which had been drawn up with warmer climes in mind were doubtless difficult to adhere to amid the rigours of a Scottish winter. What is significant is the already prominent role of the Papacy in sanctioning the mitigation of the austerity of the regular life. In due course excessive papal favour, especially to individual religious,

²³ *Scone Liber*, 70, 172-4; for the royal grant see *ibid.*, 42, 44.

²⁴ *Chartulary of the Abbey of Lindores, 1195-1479*, ed. J. Dowden (Scottish History Society, 1903), 116.

²⁵ *CPL*, i, 139, 216; cf. Ferguson, *Medieval Papal Representatives*, 165.

²⁶ Theiner, *Vet. Mon.*, 44. However, in 1248 the pope had to remind the abbot about limits to this indult: *ibid.*, 50.

²⁷ *Scone Liber*, 65.

²⁸ *CPL*, i, 215.

was to lead to the breakdown of discipline in some houses, with inevitable consequences for the reputation of such establishments and monasticism in general, but this was far in the future and could not realistically have been foreseen. In the thirteenth-century context, the continuing contacts between the Apostolic See and many monasteries constituted one of the strongest links between Scotland and the Papacy.

The large number of donations to monasteries in the twelfth and thirteenth centuries, combined with increasingly close definition of parochial boundaries and greater awareness of other rights and privileges, led to a considerable volume of litigation. It is easy to criticise medieval religious houses for their dogged pursuit of disputed revenues, but to some extent this is a trick of the sources; monastic archives are much more likely to have been preserved than those of the secular clergy and of the laity, groups whom we know were also heavily involved in squabbles over teinds and other parochial income. But the fact remains that monasteries went to great lengths to preserve the integrity of donations that they had received.

Disputes were sometimes settled locally, either by agreement between the parties, or by arbitration, or by the decision of ruri-decanal chapters or bishops. On many occasions, however, one or both parties appealed to the pope, either in the first instance or after an adverse judgement had been rendered in a local court. Such appeals inevitably undermined ordinary jurisdiction, and the facility with which they were launched must have encouraged many litigants to seek papal justice from the outset.

If a papal legate was present in Scotland, he could expect to receive a number of appeals in his capacity as a direct representative of the pope's authority. The canons of Dryburgh took advantage of the visit of the legate James in the early part of 1221 to resolve several matters concerning the patronage and revenues of the church of Gullane,²⁹ and for good measure they also obtained from James a general confirmation of all their possessions.³⁰ In due course the canons sought further corroboration of their rights in Gullane by acquiring a bull from Honorius III in 1223 and two from his suc-

²⁹ *Liber S. Marie de Dryburgh* (Bannatyne Club, 1847) [hereafter *Dryburgh Liber*], 15–16, 17–19, 23–5.

³⁰ *Ibid.*, 171–3.

cessor Gregory IX in 1229,³¹ but the legation of James had nonetheless provided a valuable opportunity to settle a number of points. James was also called upon to resolve similar disputes involving other religious houses, most notably a series of cases appealed to the Apostolic See by St Andrews priory, including some that were already under consideration by other judges.³² Like many of his fellow-legates, James seems to have provoked some criticism, probably in connection with his levy of procurations, but in his judicial capacity he accomplished much in a relatively brief sojourn in Scotland.

However, papal legates visited Scotland only rarely. A much more frequent way of exercising papal justice there was through the appointment of panels of judges-delegate, usually comprising three local ecclesiastics. In the thirteenth century the litigant who sought the mandate generally nominated the judges,³³ but this does not necessarily mean that they approached their task with a particular verdict in mind. Most litigants were fundamentally interested in a settlement, even if in the event it fell short of their full aspirations, and any grounds for allegations of partiality among the judges would almost certainly lead to a renewal of the case by the disappointed adversary.

The judges-delegate commonly arranged a compromise between the parties, with or without the arbitration of a bishop or some other honest broker. Such agreement was sometimes reached only after considerable argument, as in the dispute between Coupar and Dunfermline concerning rights in Bendochy and Couparmaculty,³⁴ but a settlement was normally possible where one party was prepared to pay compensation, usually in the form of an annual pension, to the erstwhile opponent.

It was relatively rare for judges-delegate to issue a definitive sentence that fully vindicated the case propounded by one party, and in these instances there is often some evidence of difficulties in having the sentence executed. In June 1220 the abbot of Jedburgh and the dean of the Merse issued a definitive verdict that the chapel of Cleghorn was a dependency of the mother-church of Lanark and

³¹ *Ibid.*, 213–15.

³² Ferguson, *Medieval Papal Representatives*, 86.

³³ *Ibid.*, 122.

³⁴ *Charters of the Abbey of Coupar Angus*, ed. D.E. Easson (2 vols, Scottish History Society, 1947), i, 73–7.

therefore belonged to Dryburgh abbey. The clerk detaining the chapel, William de Herteford, was also condemned to pay costs.³⁵ Dryburgh's triumph, however, was probably not entirely straightforward. As early as March 1197 another panel of judges-delegate had found for Dryburgh by default in the absence of the then incumbent,³⁶ but this had apparently not led to firm possession for the abbey. Furthermore, even after the definitive judgement of 1220, the monastery continued to press for confirmation of its rights in Cleghorn. The papal legate confirmed the judgement in April 1221,³⁷ while simultaneously Dryburgh sought from Honorius III a further panel of judges-delegate to enforce the sentence,³⁸ and the decision of 1220 was again confirmed by Gregory IX in April 1229.³⁹ It was, of course, sensible to buttress rights by acquiring documents sanctified by the supreme authority in the church, but Dryburgh's anxiety in this case is suggestive of continuing problems with those who claimed the right to occupy the chapel of Cleghorn.⁴⁰

The importance of judges-delegate in the developing relationship between Scotland and the Papacy must not be underestimated. They may have pronounced relatively few definitive sentences, and proceedings under their auspices did not necessarily lead to final settlements, but they could often arrange arbitration and thereby help the parties towards compromises in which neither side had to concede on a point of principle. In the early thirteenth century judges who were fully familiar with the particular features of the Scottish church and who had an interest in preserving harmony between their colleagues and neighbours usually administered papal justice. In the absence of a Scottish metropolitan, and with many monasteries acquiring possessions in several dioceses and being jealous of exemptions from episcopal authority which many orders and some individual houses possessed, recourse to papal justice was a natural means of resolving tricky disputes. There were, moreover, advantages with judges-delegate which would not have applied if the cases

³⁵ *Dryburgh Liber*, 168–9.

³⁶ *Ibid.*, 170–1.

³⁷ *Ibid.*, 171–3.

³⁸ *Ibid.*, 169–70.

³⁹ *Ibid.*, 216–17.

⁴⁰ For a somewhat similar case, in which Holywood abbey had difficulties wresting possession of some lands from a layman despite being granted them by judges-delegate, see Theiner, *Vet. Mon.*, 27–8.

had been heard at the papal curia, for their proceedings were almost always conducted in Scotland in line with strict rules restricting the distance to which defendants could be cited to answer the case. In later centuries, when papal procedures had become increasingly centralised and many lawsuits were heard at the curia, parties could justifiably allege that they had been put to great expense and inconvenience. Panels of judges-delegate in the early thirteenth century, by contrast, offered justice that was local in execution but still sanctioned by papal authority. The convenience of this form of justice helps to explain the increasing prominence of judges-delegate at this period.

It might be expected that the increasing involvement of an alien jurisdiction in matters of purely Scottish concern would lead to opposition from the crown. There is, however, little thirteenth-century evidence of this beyond attempts by parties in individual cases to turn to their own advantage the potential clash between royal and papal authority, viewing the matter as a legal stratagem rather than as a point of principle.⁴¹ While it would be unwise to stretch too far evidence that is almost always from ecclesiastical sources, there is reason to suppose that on occasion even laymen found it useful to have recourse to papal justice.

The most protracted lawsuit of the period pitched a knight named Nicholas de Karden and his wife Cecily against the abbey of Dundrennan. It lasted for well over twenty years and was committed to no fewer than seven panels of judges-delegate and two cardinals acting as auditors; the issues raised found their way into a decretal which became part of the universal law of the church. The proceedings are too complex to be described in detail here, but the original initiative apparently came from Nicholas, who at some point before 1220 obtained a panel of judges-delegate under the abbot of Jedburgh in an attempt to recover possessions belonging to his wife. The knight's determination is emphasised by the fact that, after the death of his lord Alan of Galloway, he reneged on an agreement that had been made with Dundrennan on the grounds that Alan had pressurised him into accepting arrangements that were unduly favourable to the monastery. For its part, Dundrennan made several

⁴¹ Cf. Ferguson, *Medieval Papal Representatives*, 187–9; but see *ibid.*, 140, for an instance of active royal opposition to a case going before judges-delegate.

legal and procedural objections.⁴² Here we see not only a religious house, but also a layman and his wife, endeavouring to exploit the opportunities presented by papal justice. This surely suggests that there was no clear distinction in early thirteenth-century Scotland between those who sought redress by approaching secular powers and those who preferred to have recourse to an ecclesiastical tribunal.

Two of the most controversial elements of Scoto-papal relations in the later Middle Ages were taxation and the use of papal provision to appoint clerics to benefices. In the reign of Alexander II both these practices were at a relatively early stage in their development, but they nonetheless caused some contention.

A number of individuals and corporations had become liable to make a small annual payment, known as census, in return for the protection of the Apostolic See. For example, in June 1203 the priory of Inchaffray incurred an obligation to pay one bezant each year,⁴³ and Innocent III increased the payment made by Kelso abbey from two shillings to one merk.⁴⁴ Most of those affected were ecclesiastics, although John of Salerno, papal legate to Scotland in 1201–2, imposed an annual payment on the earl of Mar.⁴⁵ But by no means all monasteries which benefited from papal support paid census, and it is impossible to know how often these relatively small sums were collected. In the fourteenth century, when the Papacy had tax-collectors in Scotland on a permanent basis, it was usually unable to enforce obligations to pay census, and while it is possible that the disruption caused by the Wars of Independence had enabled some of those liable to escape notice for long periods,⁴⁶ it is still unlikely that payments were regular in the early thirteenth century when papal agents visited Scotland for fiscal purposes only occasionally.

Much more important than census in fiscal terms, and much more contentious politically, were the taxes on clerical income imposed

⁴² On this case see esp. Theiner, *Vet. Mon.*, 14–15, 39–40, 41–2; *CPL*, i, 196–7, 228. For discussion of the legal issues see Ferguson, *Medieval Papal Representatives*, 124, 141, 164, 165, 168, 175–6, 180–1, 185.

⁴³ *Charters, Bulls and Other Documents Relating to the Abbey of Inchaffray*, ed. W.A. Lindsay, J. Dowden and J.M. Thomson (Scottish History Society, 1908) [hereafter *Inchaffray Chrs.*], 19–21.

⁴⁴ *Le liber censuum de l'Eglise romaine*, ed. P. Fabre and L. Duchesne (3 vols, Paris, 1889–1952), i, 231.

⁴⁵ *Ibid.*, 232.

⁴⁶ A.D.M. Barrell, *The Papacy, Scotland and Northern England, 1342–1378* (Cambridge, 1995), 19–20.

periodically with the avowed purpose of raising money for the crusades. The popes levied these taxes throughout Christendom, but opposition in Scotland was fuelled by the fact that many of the collectors were based in England and there were understandable fears that money raised in Scotland would be appropriated by the English king. Concerns were also voiced about the potential implication that the king of Scots might be deemed to be subject to his English counterpart if the latter was able to persuade the Papacy to permit him to raise crusading taxes in Scotland. Direct evidence for either payment or resistance during Alexander II's reign is, however, exiguous, and most of it is derived from the accounts of chroniclers whose accuracy is not unimpeachable.

According to Walter Bower, the prelates of Scotland met in 1220 on the order of a papal nuncio named Giles, who collected a twentieth of all ecclesiastical goods for three years as decreed by the Fourth Lateran Council. This Giles was probably the brother of the legate Pandulf, who collected the twentieth in England, but nothing further is known about his mission.⁴⁷ Several years later, Stephen of Anagni was refused entry to Scotland when he tried to execute his commission of 23 December 1228 to collect, among other taxes, a tenth in England, Scotland and Ireland in support of the pope's struggle against the Emperor Frederick II.⁴⁸ Otto too attempted to levy taxation in Scotland, and according to Matthew Paris two of his agents raised £3000 there by November 1240,⁴⁹ but again details are elusive.

The only tax recorded in any detail in contemporary documents is that connected with the crusade launched at the Council of Lyons in 1245, of which the bishop of Dunblane was the principal papal agent in Scotland. On 23 October 1247 he was commissioned to collect a twentieth of church revenues along with redemptions of vows, offerings and legacies to the Holy Land, and to transmit 3000 *livres tournois* to two named crusaders or their agents; other Scottish

⁴⁷ *Chron. Bower*, v, 113, 241–2. For the corresponding levy in England see W.E. Lunt, *Financial Relations of the Papacy with England to 1327* (Cambridge, Mass., 1939), 242–7.

⁴⁸ *Chron. Bower*, v, 143, 257–8; *Vetus Registrum Sarisberiense*, ed. W.H. Rich Jones (London, 1883–4), ii, 144–7; Ferguson, *Medieval Papal Representatives*, 93, 197.

⁴⁹ Matthew Paris, *Chronica Majora*, iv, 55. There is also a reference to Otto's levy of a thirteenth (*Flores Historiarum*, ed. H.R. Luard (London, 1890), ii, 233), but this information need not relate to Scotland specifically, if at all.

prelates were told to enforce any orders the bishop of Dunblane might make in this connection.⁵⁰ Even in this case, however, there are no firm indications of the success or otherwise of the levy.

The appointment of a Scottish bishop as collector suggests that the pope had realised the potential for conflict inherent in commissioning someone based in England. Alexander II clearly remained determined to uphold the clauses in *Cum universi* relating to the activities of legates, and he surely had similar doubts about admitting papal agents of lower rank to collect taxes. At the very time when the Holy Land subsidy was being collected, a Franciscan named William de Basinches was endeavouring to collect a subsidy in Scotland for the general needs of the church; in this instance, the principal collector was based in England, and on 14 March 1248 Alexander II was granted a bull stating that the admission of William would not prejudice the privilege that any legate entering Scotland had to be sent specifically from the pope's side.⁵¹ To some extent, Alexander was using *Cum universi* in a broader context than that envisaged by the original bull, but he clearly perceived the threat from papal collectors as serious. From the Papacy's standpoint, it seemed sensible to entrust levies in Scotland to agents based in England, and this continued to be the practice for much of the next hundred years, but politically the issue was contentious.

By the end of the Middle Ages, papal provisions were an essential part of the patronage system of the Scottish church, but in the early thirteenth century the pope's right to grant benefices to his own nominees or to those who petitioned for favour was as yet largely undefined. Most of the beneficiaries of the system at this date were members of the papal curia, who naturally approached the pope for rewards for their labours. Because the vast majority of curial clerks were not natives of the areas in which they sought preferment, their appointment was not always welcomed and could be bitterly disputed. The provisor was interested only in the revenue of the church in question, and it was unrealistic to expect him to serve it in person.

The system of provision had its origins in the last decades of the twelfth century, and some provisors appeared in England as early

⁵⁰ Theiner, *Vet. Mon.*, 48; *CPL*, i, 237.

⁵¹ Theiner, *Vet. Mon.*, 49; cf. Ferguson, *Medieval Papal Representatives*, 99, 197.

as the pontificate of Innocent III. However, it was only from the pontificate of Innocent IV, who became pope in 1243, that the large and well-defined legal system so familiar in the later Middle Ages began to develop. Most early provisions were not grants of a specific benefice, but rather expectative graces, promising a suitable benefice when one should fall vacant. It is likely that they were somewhat more numerous than the papal registers would suggest, especially in view of such evidence as the claim by the bishop and chapter of Glasgow in 1249 that their church was overburdened by having to make provision to four Italian clerks.⁵² The threat from provisors was, moreover, sufficiently grave for some monasteries to seek exemption from having to grant pensions or benefices without a papal mandate specifically setting aside such an indult.⁵³ On the other hand, however, some grants—perhaps a significant proportion—probably proved fruitless or were not seriously pursued by the recipient.

One of the earliest papal provisions in Scotland was Gregory IX's grant on 5 September 1237 of a suitable benefice there to a man called Peter, the chamberlain of a cardinal; and by October 1240 he had obtained the rectory of Pottie.⁵⁴ A little later the same church was also the target of another provisor, a Florentine named Andrew. He was given Pottie by the abbot of Dunfermline, acting as executor of papal letters granting Andrew a benefice in St Andrews diocese, but the bishop collated to the church Abel, canon of Glasgow. On 20 March 1248 the ensuing lawsuit was settled by a compromise whereby Abel was to retain the rectory but Andrew was to receive a annual pension of twenty merks from the bishop until the latter granted him another benefice worth thirty merks. The bishop was unwilling to do this, so the pope ordered the abbot of Dunfermline to act instead. However, the abbot subsequently transferred to the Cistercian order, and in March 1254 the task was given to a papal scribe residing in England.⁵⁵ Whether Andrew had any success in the long term is not known, but several years had already elapsed since the judgement of 1248.

Around 1237 another papal grace ran into difficulties. The pope granted a benefice to his scribe John de Civitate Antina, and in due

⁵² *CPL*, i, 257.

⁵³ *E.g. Dryburgh Liber*, 208–9, 220–1; *CPL*, i, 215.

⁵⁴ *CPL*, i, 166, 192.

⁵⁵ *CPL*, i, 245, 298.

course he received from Jedburgh abbey the church of Aberlemno in Angus. However, this was disputed by the bishop-elect of St Andrews, who claimed that he, rather than Jedburgh, possessed the right of presentation to the benefice, although this claim was overruled by a decision made by the subdean of York, who had been told to enforce the provision. In March 1240 the pope ordered that John's procurator be inducted to the church of Aberlemno and that any unlawful occupier be removed,⁵⁶ but how successful this latest mandate was again cannot be determined.

A number of observations can be made in connection with these and similar examples. Attempts were clearly made to execute the papal graces, and it may well be that some provisors were more successful than those discussed here; after all, more documentation is generated by disputes than from instances which proved straightforward. On the other hand, uncertainties over patronage, the desire by bishops not to forfeit any rights of collation, and no doubt a certain reluctance to grant Scottish benefices to Italians combined to put back the day when provisors could achieve their primary objective of obtaining revenues from their newly-acquired churches. Scotland was becoming part of an international system of provisions, but it was only in the second half of the thirteenth century that native Scottish clerks began to avail themselves of the opportunities for advancement it presented.

Bishops may have baulked at granting benefices in their dioceses to absentee foreigners, but their links with the Apostolic See were close, arguably closer than in the case of most of their contemporaries elsewhere. For Scotland had no archbishopric. There was no metropolitan to confirm the elections of bishops and consecrate them. The bull *Cum universi* had laid down that each of the Scottish sees was to be a 'special daughter' of the Papacy; in effect the pope was the metropolitan of Scotland. In the thirteenth century, however, bishops rarely had to travel to the papal curia for confirmation. It was more normal for the pope to commission a panel of Scottish bishops to examine the election and consecrate their new colleague, instructing them to hold a fresh election in the event of their discovering any irregularity. In some cases a dispensation was also required because the bishop-elect was of illegitimate birth, as when

⁵⁶ Ferguson, *Medieval Papal Representatives*, 149, 200–1, 291–3; *CPL*, i, 188.

in 1236 the chapter of Dunkeld selected a canon called Geoffrey, who was the son of unmarried parents.⁵⁷

This system was much less cumbersome and expensive than its later medieval equivalent of papal provision to all bishoprics, and the evidence that survives suggests that it worked efficiently; it was sensible, after all, to entrust the examination of episcopal elections to fellow-bishops in the locality. Occasionally, however, other forces prevented the smooth operation of the system. In 1239 the pope quashed the proposed translation of Bishop Geoffrey of Dunkeld to St Andrews, and a fresh election led to the choice of David de Bernham. It is likely that the king was involved in this manoeuvring; certainly his consent was sought and granted.⁵⁸ Politics also dictated the course of a dispute over the see of Whithorn in 1235.

The Whithorn dispute has been extensively discussed in print. Ostensibly it concerned the rights of different groups of potential electors, with the Premonstratensian canons of Whithorn electing one of their number, Odo, and the clergy and people of the diocese choosing Gilbert, former abbot of Glenluce and then a monk at Melrose. The position was further complicated by the fact that the archbishops of York still had metropolitan authority in Galloway, the see of Whithorn having been excluded from *Cum universi*. In canon law both protagonists had a case, but the candidature of Gilbert was backed by Alexander II, who was keen to stamp his authority on Galloway following the death of its lord Alan. The cathedral priory, on the other hand, wanted to gain recognition of its right to elect bishops. Gilbert's victory was a mark of Alexander's influence in the south-west, but the lawsuit was still rumbling on as late as 1241.⁵⁹ This dispute may well have been in Alexander II's mind when in 1245 he complained about disputes over the elections and examinations of bishops being taken outside the realm, receiving an assurance from Innocent IV that if delegation outside Scotland

⁵⁷ Theiner, *Vet. Mon.*, 33.

⁵⁸ *Ibid.*, 38, 39; *Chron. Bower*, iii, 395.

⁵⁹ On this case see G. Donaldson, 'The bishops and priors of Whithorn', *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, 3rd ser., xxvii (1950), 136–7; A. Ashley, 'Odo, elect of Whithorn, 1235', *ibid.*, xxxvii (1960), 62–9; D.E.R. Watt (ed.), *Fasti Ecclesiae Scoticanæ Mediæ Aevi ad Annum 1638* (2nd draft, Scottish Record Society, 1969), 128–9; R.D. Oram, 'In obedience and reverence: Whithorn and York, c.1128–c.1250', *Innes Review*, xlii (1991), 96–8.

was unavoidable the case would be heard in the border dioceses of Durham or Carlisle rather than in York.⁶⁰

Some episcopal sees in Scotland remained poorly endowed. In July 1236 the bishop of Sodor was relieved of the diocese of Argyll, which had been granted to him *in commendam* on account of its poverty, and the election of a new bishop to Argyll was ordered.⁶¹ Problems evidently continued, for in December 1248 it was stated that Argyll had not had a bishop for over seven years,⁶² and in the following month the pope authorised the transfer of the see from Lismore to a more secure and accessible place, the king having offered to contribute towards the costs involved.⁶³ Dunblane was also in a sorry state according to its bishop, and so in June 1237 the bishops of Glasgow and Dunkeld were ordered either to have a quarter of the teinds of all parishes in the diocese earmarked for the bishop to establish a chapter, or else to give the bishop a quarter of the teinds of churches held by seculars and transfer the see to Inchaffray abbey.⁶⁴ The pope also assisted in augmenting the endowments of cathedrals, for example at Rosemarkie in 1235,⁶⁵ and in 1224 he ordered an investigation into the proposed transfer of the cathedral of Moray to Elgin.⁶⁶ Such evidence points to continuing defects in the organisational structure of parts of the Scottish church, and the pope's role in remedying them.

The pope's virtually unchallenged authority to issue dispensations from particular requirements of canon law or ecclesiastical practice meant that very many individuals and groups, clerical and lay, approached the Apostolic See for favours. Such favours were, however, less likely to be registered by the papal chancery than most other items of business. They were valuable to the recipient, but so

⁶⁰ *Foedera, Conventiones, Literae et Cuiuscunque Generis Acta Publica*, ed. T. Rymer (4 vols in 7 parts, London, 1816–69), i, 263. However, the referral of the election of the bishop of Moray in 1244 to M. Martin, papal nuncio in England (*CPL*, i, 207), may have been a more immediate stimulus for Alexander's complaint.

⁶¹ Theiner, *Vet. Mon.*, 33. Cf. *Inchaffray Chrs.*, 65, for a reference to Clement, bishop of Dunblane, controlling Argyll, probably in the 1240s.

⁶² Theiner, *Vet. Mon.*, 52; cf. Watt, *Fasti*, 26.

⁶³ Theiner, *Vet. Mon.*, 52. For the circumstances behind this proposal see A.A.M. Duncan and A.L. Brown, 'Argyll and the Isles in the earlier Middle Ages', *Proceedings of the Society of Antiquaries of Scotland*, xc (1956–7), 208–10.

⁶⁴ Theiner, *Vet. Mon.*, 35; cf. *Inchaffray Chrs.*, 70–1.

⁶⁵ Theiner, *Vet. Mon.*, 32.

⁶⁶ *Ibid.*, 22.

long as the beneficiary retained the original bull there was little purpose in paying the requisite fees for registration. Our knowledge of the pope's use of his dispensing power in the thirteenth century is, therefore, limited, and much of our information concerns judicial exemptions or matters such as pluralism where the recipient may well have viewed registration as useful insurance against potential future challenges. Other classes of business are recorded usually only when the beneficiary was of exalted status, as with the licence granted to Alexander II in March 1248 to eat eggs, butter, cheese and flesh-meat in Lent on account of his allergy to fish.⁶⁷ This does not necessarily imply that those of lower social rank were not similarly favoured.

By the later Middle Ages lay people most often had recourse to the pope when they wished to marry within the prohibited degrees or sought a plenary indulgence. For reasons suggested above, evidence for such contacts in Alexander II's Scotland is sparse. However, it is very unlikely that many thirteenth-century Scots sought full remission of their sins outside the context of the crusades, with which such ample graces were almost invariably associated at this period. Plenary indulgences were not yet to be had on demand as was the case from the middle of the fourteenth century onwards, but more limited remissions of enjoined penance were sometimes issued, as by the legate Otto, who in 1239 granted ten days' grace to those who devoutly inclined their heads at a specified point in the Mass of the Virgin Mary.⁶⁸

Matrimonial concerns were more likely to be raised, with a view to either legitimising an existing or proposed union or annulling an inconvenient one. It was suggested to the legate James that Alan of Galloway had married within the prohibited degrees. It is unclear whether Alan himself or an opponent made this claim, but the initiative probably came from the lord of Galloway because he subsequently tried to have the case committed to judges-delegate. James and some Scottish bishops asked the pope for advice; and because the legate had left Scotland before Honorius III responded, Alan's procurator asked for the business to be entrusted to someone else. In the event the pope appointed the archbishop of York and the

⁶⁷ *Ibid.*, 49.

⁶⁸ *Chronicon de Lanercost* (Bannatyne Club, 1839), 48.

bishops of Carlisle and Exeter, a panel whose composition serves to demonstrate the potential political sensitivity of the matter within Scotland.⁶⁹ This case has probably remained on record only because the person involved was significant enough politically for the legate and the Scottish bishops to seek advice. Evidence from later periods suggests that requests for annulment were much rarer than cases in which the pope was asked to set aside the prohibitions laid down by canon law, but the registers of the early thirteenth century are largely silent about the latter.⁷⁰

Among ecclesiastics, the commonest request at this time was for a dispensation to hold more than one benefice. Pluralism of benefices that involved pastoral responsibilities was arguably at its peak in the thirteenth century, but quantification of the abuse is difficult in countries such as Scotland for which no episcopal registers survive. Licences to hold two or more benefices with cure could be granted by the pope or by legates,⁷¹ but it is likely that some clerks held several churches without troubling to seek permission. Relatively few dispensations from pluralism in Scotland are registered before the pontificate of Innocent IV, an early example being the licence granted to Richard de Lassewade in 1219.⁷² Those dispensed have little in common, except that in most cases they could boast either noble birth, or connection with the royal court or a bishop, or high academic standing: a canon of Dunkeld named Hugh, who was also a clerk of the bishop of Glasgow, was permitted to hold an additional benefice with cure in 1245 on account of his proficiency in arts and long study of canon and civil law.⁷³ A further development in Innocent's pontificate is the appearance of licences for men beneficed in England to hold additional churches in Scotland, although it cannot be ascertained whether these dispensations were in fact acted upon.

⁶⁹ Ferguson, *Medieval Papal Representatives*, 86–7, 157, 200; Theiner, *Vet. Mon.*, 20–1.

⁷⁰ Under the year 1222 the Melrose chronicle mentions a papal dispensation granted to Philip de Valognes to enable him to continue in his marriage to the former wife of Walter de Lindsay despite their being too closely related (*Chron. Melrose*, 76), but this tells us nothing about the nature or number of routine dispensations.

⁷¹ As well as more general powers, it seems that the legate James was instructed specifically to dispense Thomas de Strivelin so that he could hold a plurality of benefices: Theiner, *Vet. Mon.*, 18.

⁷² *CPL*, i, 63.

⁷³ Theiner, *Vet. Mon.*, 44.

This apparent proliferation of licences to hold several benefices simultaneously may be no more than a reflection of the patchiness of the source material; the sudden increase in the number of references to pluralism could even indicate that the Papacy was taking a more vigorous line in combating the abuse. But there is other evidence that the pontificate of Innocent IV marked something of a watershed in relations between Scotland and the Papacy. It was during this time that the number of papal provisions to Scottish benefices increased. Innocent seems to have been more willing than his immediate predecessors to grant indulgences and to relax old regulations. There was, of course, no sudden change in papal policy. Neither provisions nor licences to indulge in pluralism were new features in the 1240s, and time-honoured contacts such as bulls confirming grants to monasteries continued as before. On the broader diplomatic level, the Papacy still inclined towards England: Alexander II had not been granted his wish for a coronation, and the agreements with England brokered by papal legates had done him few favours.

There are, however, the first signs of what might loosely be characterised as the late medieval relationship, dominated by the pope's dispensing power and his right to fill benefices by reservation and provision. In the centuries to come, the sort of contacts between Scotland and the Apostolic See that had characterised the twelfth century became increasingly insignificant. Even the exercise of justice through the appointment of judges-delegate, so prominent a feature of the relationship between the Papacy and Scotland during Alexander II's reign, was to become less common by the end of the thirteenth century. There are several reasons for these changes, but the most fundamental is the burgeoning of papal bureaucracy and the increased reliance on fixed procedures that operated from and at the centre. In due course much less emphasis was placed on sending papal representatives to distant corners of Christendom and much more on encouraging petitioners and litigants to conduct their business at the curia. The relationship of Alexander II's time, when legates and judges-delegate frequently took papal authority to the locality, was, therefore, destined to change fundamentally.

SAINTS AND SILVER:
SCOTLAND AND EUROPE IN THE AGE OF
ALEXANDER II

David Ditchburn

The Cistercian Ecclesiastical Circle

Take two chronicles—say that written anonymously at the Cistercian house of Melrose in the thirteenth century and that written by Walter Bower, the Benedictine prior of Inchcolm in the fifteenth century.¹ Comparisons between the two are illuminating. Both offer a traditional narrative of events from the creation of the world to the age in which the authors themselves wrote. Both too are emotionally laced with religious moralism, to which Bower adds a liberal dose of social snobbery and a strikingly patriotic tone. Bower, of course, was writing after the wars of independence had ruptured the latterly harmonious Anglo-Scottish relations of Alexander II's reign. Moreover, the popular revolts of the later fourteenth century had shattered comfortable aristocratic illusions of social harmony. By the more bitter standards of the later medieval era it was quite acceptable for the Inchcolm abbot to fulminate against wicked Englishmen and to compare peasants with dogs.² By contrast, patriotic hyperbole is noticeably lacking from the Melrose chronicle. It was with naive incomprehension, rather than contempt, that its author reported 'the body wishing to rule the head', when, not the peasantry, but rather the English magnates sought to bring King John to book in 1215.³

¹ *The Chronicle of Melrose*, edd. A.O. and M.O. Anderson (London, 1936) [hereafter *Chron. Melrose*]; Walter Bower, *Scotichronicon*, edd. D.E.R. Watt *et al.* (Aberdeen, 1987–98) [hereafter *Chron. Bower*]. The former has received little detailed examination, save for the excellent articles by W.W. Scott, 'Abbots Adam (1207–1213) and William (1215–1216) of Melrose and the Melrose Chronicle' in B.E. Crawford, ed., *Church, Chronicle and Learning in Medieval and Renaissance Scotland* (Edinburgh, 1999), 161–171; and by A.A.M. Duncan, 'Sources and uses of the Chronicle of Melrose, 1165–1297' in S. Taylor, ed., *Kings, Clerics and Chronicles in Scotland, 500–1297* (Dublin, 2000), 146–85. For Bower, see D.E.R. Watt, 'Abbot Walter Bower of Inchcolm and his Scotichronicon', *Records of the Scottish Church History Soc.*, 24 (1992), 286–304.

² *Chron. Bower*, vii, 395.

³ *Chron. Melrose*, 60.

Yet it is not just in tone that the two writers differ. Bower, when it came to more contemporary passages, was transfixed by the politics of his homeland and the endeavours of his fellow countrymen abroad. Lengthy eulogies of eminent Scots are accompanied by a political analysis that casts the Scots at the forefront of the campaigns of the Hundred Year War. The Melrose chroniclers, on the other hand, were of a more genuinely cosmopolitan disposition. The death of William I in 1214 was sidelined into one sentence, before the author moved swiftly to deliberate upon political developments in England and the conflict between Philip II of France and the would-be Emperor Otto IV at the battle of Bouvines.⁴ Such coverage was by no means untypical. The vista of the Tweeddale scribe was firmly fixed on southern horizons and to travel no further than Aberdeen was to venture 'in profundam Scotiam'.⁵ Scotland north of Forth was, it would seem, almost a foreign country.

The cosmopolitan mindset of the Melrose chroniclers is easily understood. They may or may not have been 'Scots', whatever (if anything) that meant in the thirteenth century; but they were almost certainly Cistercian monks and it was this religious affiliation, rather than any national identity, which served to inform the anonymous authors. As indicated in Figure 1, Melrose was a member of the extensive and rigidly stratified Cistercian monastic family. The abbey had been founded in 1136 by monks from Rievaulx in Yorkshire; and monks from Melrose were in turn responsible for the foundation of five daughter houses.⁶

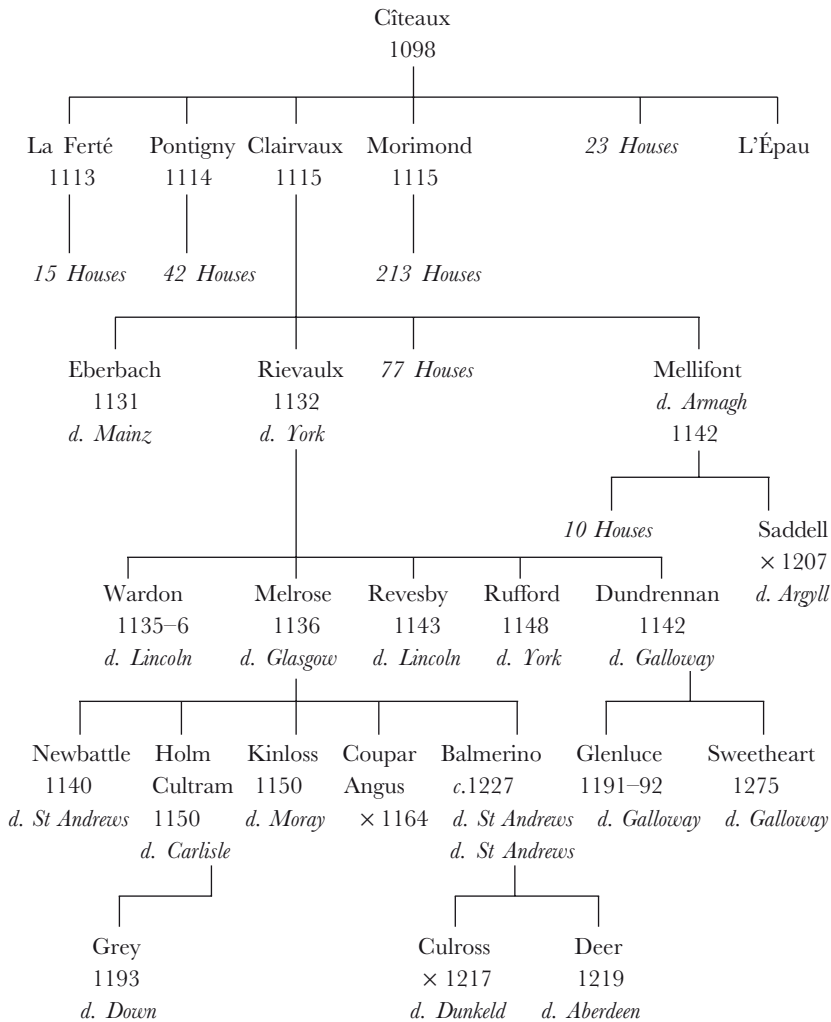
These links were far from meaningless. In theory, at least, Melrose was subject to an annual visitation by the abbot of its mother house at Rievaulx (or his proxy), as was Rievaulx's other Scottish daughter, Dundrennan. Newbattle, Holm Cultram, Kinloss, Coupar Angus and Balmerino might expect similar tours of inspection from their mother house at Melrose; and Kinloss might inspect its daughters of Culross and Deer. Furthermore, the abbots of all Cistercian houses were expected to attend a chapter general held annually from 14 September at the mother of all mothers, the abbey of Cîteaux in

⁴ *Chron. Melrose*, 58–59.

⁵ *Chron. Melrose*, 70.

⁶ On the foundation of all the Cistercian abbeys in Scotland, see I.B. Cowan and D.E. Easson, *Medieval Religious Houses: Scotland* (2nd ed., London, 1976), 72–9.

Figure 1: The Scottish Cistercian Family



Key: dates = date of foundation; *d.* = located in diocese of.

Source: R.H.C Davis, *History of Medieval Europe* (Harlow, 1970), 273 with additional information from I.B. Cowan and D.E. Easson, *Medieval Religious Houses Scotland* (2nd ed., Harlow, 1976), 72; A. Gwynn and R.N. Hadcock, *Medieval Religious Houses: Ireland* (London, 1970)

France. Although, from 1157, Scottish abbots were excused annual attendance at these international gatherings, on account of their distance from Cîteaux, they were still expected to put in an appearance every fourth year.⁷ Several did: 'nearly all' of them reportedly in 1218, along with the abbots of Kinloss in 1214, Melrose in 1215, Dundrennan in 1222, and Glenluce and Coupar Angus in 1242.⁸ We know about most of these particular visits because the abbots in question died while in transit from Cîteaux. The visits of others who survived the ordeals of travel simply went unrecorded by monastic annalists, presumably on the grounds that such journeys were routine and not, therefore, newsworthy. If, however, we can assume a Scottish presence at those chapters general at which matters pertaining specifically to Scottish houses was discussed, then other Scottish abbots would have been in attendance in at least 1227, 1235, 1240, 1243, 1245, 1246 and 1249.⁹ Perhaps too it was with a view to journeying to Cîteaux that the abbot of Melrose obtained an English safe conduct in 1236.¹⁰

Here, then, was one avenue for the Melrose chroniclers to obtain their information regarding the great events of Christendom: Cistercian ideals were policed by a means conducive to the spread of Cistercian whispers. But there were other mechanisms too by which the Melrose chroniclers might have received their information. The organisation of the chapter general was an expensive business and to defray its costs Cîteaux had claimed the revenues from certain churches appropriated by the order, among them that of Airlie. After lengthy dispute with Coupar Angus Abbey, which also claimed incomes from the Angus church, it was finally agreed in 1246 that Cîteaux would receive £20 annually, payable by the monks of Coupar Angus on 29 June at Troyes.¹¹ How precisely this sum was paid remains unknown, but its significance lies in the fact that each year Coupar Angus had direct contact with the town of Troyes, the location of

⁷ *Statuta Capitulorum Generalium Ordinis Cisterciensis ab anno 1116 an annum 1786*, ed. J.-M. Canivez (Louvain, 1933–39), i, 67.

⁸ For Kinloss, see *Chron. Bower*, v, 107, apparently drawing information from a now lost Cistercian source (*ibid.*, 240); all other references are from *Chron. Melrose*, *passim*.

⁹ *Statuta Capitulorum*, i, 427; ii, 63, 151, 226, 267, 295, 345; *Charters of the Abbey of Coupar Angus*, ed. D.E. Easson, (Scottish History Soc., 1947), i, no. 51.

¹⁰ *Calendar of Patent Rolls* (London, 1895–) [hereafter *CPR*], 1232–47, 143.

¹¹ *Coupar Angus Charters*, i, no. 51. The first of the two annual Troyes fairs opened following the feast day of St John the Baptist on 24 June.

one of the famous Champagne fairs and one of the foremost financial centres of its day. Other Scottish houses probably also developed contacts with the Champagne fairs at around this time. Finding the costs of the chapter general spiralling and in order to contribute towards the costs of crusading, from 1235 Cîteaux sought to impose a levy upon all of its affiliated houses. This was perhaps payable at the Champagne fairs: later levies (such as that of 1257, payable at Provins) certainly were.¹²

Aside from Cistercian affairs, diplomacy and litigation also necessitated monastic travel. The Cistercians owed obedience to the papacy as well as to Cîteaux, and petitions and litigation brought to the papal court required communication with Italy as well as France. Thus, in 1218 a former abbot of Melrose—Adam, bishop of Caithness—and two episcopal colleagues ventured to Rome ‘to request the grace of absolution’ following the sentence of excommunication imposed on the Scottish Cistercians for their failure to observe the interdict imposed on Scotland in 1216.¹³ And in the 1240s Abbot Alexander of Coupar Angus was reportedly engaged in curial business on behalf of King Alexander.¹⁴ But more mundane matters also took monks to Italy—one from Dundrennan, for instance, venturing there in 1220, to represent his abbey in a long-running territorial dispute with the knight Nicholas de Karden.¹⁵

Financial transactions and litigation in the papal courts was facilitated by literacy—and because monks were literate they were sometimes called upon to exercise their skills with the quill on behalf of secular governments too. Adam, abbot from 1207 to 1213, had been a member of the Scottish delegation which negotiated the Treaty of Norham in 1209. The knowledge gained from this experience clearly informed the chronicle of Adam’s monastic home.¹⁶ Literacy, moreover, enabled monks to disseminate news by letter. The Melrose chronicler reproduced not only a letter of 1216, written by the abbot

¹² *Statuta Capitulum*, ii, 426–7; P. King, *The Finances of the Cistercian Order in the Fourteenth Century* (Kalamazoo, 1985), 8; *The Tax Book of the Cistercian Order*, edd. A.O. Johnsen and P. King (Oslo, 1979), 22–6.

¹³ *Chron. Bower*, v, 101.

¹⁴ *Coupar Angus Charters*, i, no. 49.

¹⁵ *Vetera Monumenta Hibernorum et Scotorum Historiam Illustrantia*, ed. A. Theiner (Rome, 1864), no. 32. See too P.C. Ferguson, *Medieval Papal Representatives in Scotland: Legates, nuncios and judges-delegate, 1125–1286* (Stair Society, 1997), 230–2.

¹⁶ Scott, ‘Abbots Adam (1207–1213) and William (1215–1216)’, 165. On Cistercian newsletters, see too Duncan, ‘Sources’, 153, 160–1, 170, 174.

of Glenluce and marvelling at unusual lunar formations, but also letters of 1217, written to the abbot of Rievaulx by the abbot of Warden, relating the defeat of the French fleet at Sandwich; and a letter of 1241, sent from the abbots of Cîteaux, Clairvaux and L'Épau ('*Pietas Dei*'), then holed up in an imperial prison, to the abbot of Savigny.¹⁷ This, we should note, was not a missive addressed to Melrose, though a copy of it clearly reached the Border abbey. Bulkier written compilations too were swapped—the Melrose chronicle clearly informed those of other Cistercian houses, including Rushen on the Isle of Man.¹⁸

The abbot of Glenluce's lunar ramblings were discussed further when the abbot visited Melrose for himself. This was not a tour of inspection, since Melrose was not a filiation of Glenluce. Rather, the abbot was presumably lodging in Melrose on his travels elsewhere. Other abbots also visited Melrose during Alexander II's reign, including the abbot of Rievaulx (perhaps on a tour of inspection) and the abbot of Fountains, in Yorkshire.¹⁹ Monastic provision of bread and breakfast facilities was a common occurrence. In 1222 the abbot of Deer died at 'the abbey of valley of the Blessed Mary' (probably Croxden in Staffordshire), while on his way to Cîteaux; and the abbot of Dundrennan perished at the monastery of Auberive, near Langres, while returning from a chapter general. Twenty years later the abbots of Coupar Angus and Glenluce were buried respectively at the abbeys of Vaucelles, near Cambrai, and the unidentified St Remy while on their way back from Cîteaux.²⁰

News gleaned from personal visits and communications was augmented as a consequence of the Cistercian career structure which permitted movement between monastic houses. Cistercian abbots often served their monastic apprenticeship at other Cistercian houses. During Alexander II's reign four abbots oversaw Melrose. While two of these appointments were internal promotions, one came from Holm Cultram and another from Newbattle. Melrose, in turn, provided abbots for Balmerino, Culross, Deer, Dundrennan, Glenluce, Newbattle and Rievaulx. While all of these abbatial appointments

¹⁷ *Chron. Melrose*, 88–89.

¹⁸ Duncan, 'Sources', 155, 169.

¹⁹ *Liber Sancte Marie de Melrose* (Bannatyne Club, 1837), i, no. 195.

²⁰ *Chron. Melrose*, 75, 91.

were made from within the same, relatively small branch of the Cistercian family, they nonetheless provided Melrose with contacts in other houses, which, in turn, developed similar contacts elsewhere in the Cistercian hierarchy. These links seem to explain how Melrose came into possession of the 1217 letter recording the defeat of the French fleet, for its recipient was William, former abbot of Melrose, who probably sent it (or a copy) to his old house.²¹

No doubt all of these factors partly explain why the Melrose Chronicle was so well informed about events in other abbeys. During Alexander II's reign alone, the chronicle notes the death or retirement of fifty-two Cistercian abbots from twenty-one different houses. Additionally, in all but eight instances, it provides the name of the departing abbot's successor, as well as the first abbatial appointments to the two new houses of Balmerino and Culross. These twenty-one houses included one in Ireland (Grey); two in Wales (Whitland and Strata Florida); three in France (Cîteaux, Clairvaux; and L'Épau); five in England (Rievaulx, Warden, Revesby, Rufford, Holm Cultram, and Newminster); and nine in Scotland (Melrose itself, along with Balmerino, Coupar Angus, Culross, Deer, Dundrennan, Glenluce, Kinloss and Newbattle). As is evident from Figure 1, all except L'Épau (near Le Mans), were linked in the same of the filial chain. Significantly, the one Cistercian house in Scotland about which the Melrose chronicler apparently knew nothing was Saddell, which, as a filiation of Mellifont in Ireland, figured elsewhere in the great Cistercian chain.²²

The Cistercian Commercial Circle

It would be misleading to suggest that the international contacts forged by the monks of Melrose were simply of an ecclesiastical nature. The Cistercian monasteries were also great landowners. Many of their original possessions were bequeathed by pious laymen, desirous

²¹ Scott, 'Abbots Adam (1207–1213) and William (1215–1216)', 168.

²² On Saddell's obscure history, see A.L. Brown, 'The Cistercian abbey of Saddell, Kintyre', *Innes Review*, 20 (1969), 130–37. Twelfth-century contacts between the Scottish and Irish Cistercian monasteries are suggested by the use of a common source by annalists at Coupar Angus and Multyfarnham: B. Williams, 'The Dominican annals of Dublin' in S. Duffy, ed., *Medieval Dublin II* (Dublin, 2001), 248–9.

of that most efficacious of intercession with God which only austere monks could provide. And, initially at least, these gifts had been accepted with the probably sincere intention of creating devout islands of economic self sufficiency in which the monks could conduct their spiritual business without dependence on the secular world.²³ Property, however, proved to be the Achilles heel of the Cistercian ideal. Far from separating monks from secular society, it served to establish closer bonds between the two. Once cultivated, the Cistercian estates began to produce agricultural surpluses which the monastic communities themselves were unable use and which they began to sell on the open market. Moreover, by the early thirteenth century they had begun to reinvest the profits of these trading activities in the purchase of land. And the more land they acquired, the greater their surpluses and revenues became.

Although Cistercian estates were turned to both arable and pastoral cultivation, by the beginning of Alexander II's reign wool had already emerged as their principal cash-crop.²⁴ The great Cistercian producers of wool did not, however, lie adjacent to the great consumers of wool. Although some monastic wool was no doubt sold to furnish domestic cloth producers, the principal region of north European cloth production during the thirteenth century was to be found in the Netherlands. Coupar Angus and Melrose both planned to dispatch cargoes of wool to Flanders in 1225.²⁵ Although this is the only specific occasion on which the Cistercians can be found trading their wools on the continent during Alexander II's reign, it was probably not an extraordinary event. Merchants from Douai in Flanders had taken an interest in Scottish trade since at least the 1240s. A wool price schedule, composed by (or for) merchants from Douai (and which may date from about the end of Alexander II's reign or possibly a little later), indicates that the wools of Culross, Dundrennan and Glenluce, as well as those of Coupar Angus and

²³ The matter is discussed in detail by R. Oram, 'Prayer, property and profit: Scottish monasteries, c.1100–c.1300' in S. Foster, A. Macinnes and R. Macinnes, eds., *Scottish Power Centres from the Early Middle Ages to the Twentieth Century* (Glasgow, 1998), 87–92.

²⁴ A. Stevenson, 'Trade with the south, 1070–1513' in M. Lynch, M. Spearman and G. Stell, eds., *The Scottish Medieval Town* (Edinburgh, 1988), 183.

²⁵ *Calendar of Documents relating to Scotland*, edd. J. Bain et al. (Edinburgh, 1884–1985) [hereafter *CDS*], i, no. 904.

Melrose, were reaching this important centre of Flemish textile manufacturing.²⁶ The possibility that several of the remaining Cistercian houses undertook similar ventures cannot be ruled out, for the Douai schedule seems not have been comprehensive. Later in the thirteenth century Melrose wool (and that of several English and Welsh houses too) was graded into three different qualities at Douai.²⁷ These gradations were not evident in the earlier schedule; but the more complex stratification was also adopted in a another schedule (drawn up by the Italian merchant Francesco Balducci Pegolotti and datable to the later-thirteenth- or early-fourteenth century) which appears to reflect the prices of wools available in Flemish markets. In Pegolotti's handbook prices were offered for the produce of Balmerino and Newbattle, as well as for the other five houses noted in the earlier Douai schedule.²⁸ For the two northern monasteries (and Saddell) alone is there no evidence to suggest contact with Flanders.

Commerce was not, however, a one-way street. Such was the nature of the Scottish climate, it was never a possibility for the Scottish Cistercians to maintain the monastic ideal of economic self-sufficiency. At its most basic, since Scotland lay well to the north of viticultural limits, even during the climatic optimum of the high middle ages monasteries had to purchase their supplies of wine, a *sine qua non* of Eucharistic ceremony, from overseas sources. Since, in theory too, the monastic diet was vegetarian, monasteries required vast supplies of fish and of grain, which some evidently did not produce in sufficient quantity, especially perhaps during the probably poor meteorological conditions of the 1220s.²⁹ In 1220 the Justiciar of Ireland was instructed to permit the monks of Glenluce to acquire corn, meal and other victuals in Ireland; and similar safe conducts were again issued to Glenluce in 1226 and 1227.³⁰ The monks of Dundrennan too received a safe conduct (valid for three years) to

²⁶ CDS, i, no. 1634; The National Archives, London, PRO 31/8/141, fos 326r–328r; J.H. Munro, 'Wool-price schedules and the qualities of English wool in the later middle ages, c.1270–1499', *Textile History*, 89 (1978), 119–125.

²⁷ Munro, 'Wool-price schedules', 123–124.

²⁸ Francesco Balducci Pegolotti, *La Pratica della Mercatura*, ed. A. Evans (Cambridge, Mass., 1936), 259.

²⁹ M.C. Lyons, 'Weather, famine, pestilence and plague in Ireland, 900–1500' in E. Crawford, ed., *Famine, The Irish Experience, 900–1900: Subsistence crises and famine in Ireland* (Edinburgh, 1989), 39, 58–59; *Chron. Bower*, v, 115, 117.

³⁰ CDS, i, nos 765, 933, 974.

visit Ireland in 1223.³¹ On this occasion, their intentions in Ireland were not specified, though during Alexander III's reign Dundrennan's monks were seeking supplies of wheat, oats and wine in Ireland.³² The grain, at least, may have come from their estate at Burtonstown in Co. Meath, which the monks acquired at an unknown date, possibly during the Irish ascendancy of Alan of Galloway between c.1212 and 1224.³³ And the intriguing appearance of Gilbert of Saddell as a member of the Dublin gild merchant in 1238–9 begs the question of whether the obscure Argyll monastery also traded in Ireland.³⁴

As a consequence of their agricultural needs and activities Cistercian monks became businessmen. Their trade presupposed that monks or their agents had developed the skills of merchandising, as well as mechanisms for moving bulky packs over long distances. The details of these business activities remain largely obscure. Nonetheless, it seems likely that urban properties owned by the monasteries were utilised as a storage point for both imports and exports. Admittedly there are some problems with such a hypothesis. Wendy Stevenson has demonstrated that many monasteries owned more than one property in some towns. Not all of them were necessary for commercial purposes. Many, as she has shown, were rented out.³⁵ But the emergence of the monastic rentier did not inhibit the activities of the monastic trader. While Coupar Angus leased out its only property in Berwick (as it happens to Newbattle), it is not known to have done likewise with its property in Perth; nor, so far as is known, did Balmerino, which had purchased property there by 1231.³⁶ Similarly, although Melrose and Newbattle rented out some of their Berwick

³¹ *CDS*, i, no. 850.

³² *Calendar of Documents relating to Ireland* (London, 1875–86) [hereafter *CDI*], ii, no. 1928; *CDS*, ii, no. 211.

³³ Meath belonged to Walter de Lacy, brother of Hugh, earl of Ulster, and uncle of Rose. She became Alan of Galloway's third wife, in c.1219: K. Stringer, 'Periphery and core in thirteenth-century Scotland: Alan son of Roland, lord of Galloway and constable of Scotland' in A. Grant and K.J. Stringer, eds, *Medieval Scotland: Crown, lordship and community* (Edinburgh, 1993), 93; idem, 'A new wife for Alan of Galloway', *TDGNHAS*, 49 (1972), 49–55. See too *Rot.Scot*, i, 392.

³⁴ *The Dublin Guild Merchant Roll, c.1190–1265*, edd. P. Connolly and G. Martin (Dublin, 1992) [hereafter *DGMR*], 74.

³⁵ W.B. Stevenson, 'The monastic presence in Scottish burghs in the twelfth and thirteenth centuries', *SHR*, 60 (1981), 97–118.

³⁶ *Registrum S. Marie de Neubottle* (Bannatyne Club, 1849), no. 190; *Coupar Angus Charters*, i, no. 25; *Liber Sancte Marie de Balmorinach* (Abbotsford Club, 1841), nos 21–6.

properties, they retained direct hold of others. But while at least two of the Scottish Cistercian houses retained property in Berwick and two maybe did so in Perth (and, if so, presumably used them *inter alia* for commercial storage), not all of the Cistercian houses possessed urban properties. What, then, happened to their wool? A.A.M. Duncan has suggested that the entire Cistercian wool clip was delivered to either Berwick or Perth, where either Melrose or Coupar Angus arranged for its onward transit.³⁷ Stevenson has offered a slight refinement to this theory, suggesting that, whereas originally Melrose and Coupar Angus jointly arranged for the export of Cistercian wool, they did so from Berwick alone; and once Coupar Angus had disposed of its Berwick property (at sometime between 1212 and 1240) commercial supervision of the Cistercian wools was assumed by Melrose alone.³⁸ Whichever hypothesis one prefers, it is entirely plausible that the structured line management which characterised Cistercian government was replicated in the order's commercial activities.

Yet before accepting either argument, we may wonder whether it was feasible for the Cistercian monasteries of the west and north to dispatch wool to Berwick or Perth. Of course, we cannot be certain that the northern monasteries of Kinloss and Deer exported any wool in the early thirteenth century. Although Kinloss held property in Berwick by 1225, by the early fourteenth century its urban contacts were primarily with Aberdeen, where it also held a toft. Aberdeen was the (presumably most convenient) location for Kinloss abbots to draw their annual annuities from the crown.³⁹ It may well have been the case, even in the thirteenth century, that Kinloss traded *via* Aberdeen—though its goods might have been shipped from Aberdeen to Berwick, before onward dispatch to (or arrival from) the continent.

Unlike Kinloss, neither Dundrennan nor Glenluce held property in the east coast towns. Study of the thirteenth-century Scottish road network has done little to illuminate communications west of the River Nith, but communications with Berwick were probably not

³⁷ A.A.M. Duncan, *Scotland: The making of the kingdom* (Edinburgh, 1975), 513.

³⁸ W.B. Stevenson, 'The monastic presence: Berwick in the twelfth and thirteenth centuries' in M. Lynch, M. Spearman and G. Stell, eds, *The Scottish Medieval Town* (Edinburgh, 1988), 111.

³⁹ *Records of the Monastery of Kinloss*, ed. J. Stuart (Edinburgh, 1872), 115; *RRS*, ii, no. 543; *The Exchequer Rolls of Scotland*, J. Stuart et al. (Edinburgh, 1878–1908), i, 75, 99, 321, 366, 427.

easy from the south-west.⁴⁰ Although, for fiscal purposes, the English administration of 1296 deemed it expedient, and presumably feasible, to decree that all Scottish wool exports should be delivered to Berwick, the burgesses of Ayr objected to this unaccustomed inconvenience.⁴¹ We may suppose that fifty years earlier it was similarly inconvenient for the monks of Glenluce and Dundrennan to dispatch their wool to Berwick. If so, we are left with the conundrum how these two monasteries, whose wool clearly reached the Low Countries by at least the mid-thirteenth century, arranged for its export. Since both were located close to the sea, it is credible to suppose that their western wools found a maritime outlet, rather than a landward one *versus* Berwick.

It seems unlikely, though not impossible, that Gallovidian wools were shipped directly to the Low Countries. More probably Gallovidian wools were channelled into the commercial nexus which linked the Irish Sea zone with the North Sea. The coherence of the Irish Sea economic zone is suggested by the mid-thirteenth-century mould discovered at Dundrennan in c.1843. This was designed to produce pewter tokens—probably as small change—of a design similar to the thousands of tokens excavated in both Dublin and London.⁴² A common currency of pewter tokens (as well as silver pennies) was, we may surmise, underpinned by commercial interaction within the region. If so, it is credible to suppose that Gallovidian wool was sent to Ireland, filling the holds of those vessels which collected Irish grain for the Gallovidian monasteries. In Ireland it was perhaps purchased by merchants. Several men of French and Netherlandish extraction were members of the Dublin gild—and Dublin's contacts with the North Sea world are further attested by northern French ceramics, excavated in the town's port and dating from precisely this period.⁴³

⁴⁰ See, however, the excellent G.W.S. Barrow, 'Land routes: the medieval evidence' in A. Fenton and G. Stell, eds, *Loads and Roads in Scotland and Beyond: Land transport over 6000 years* (Edinburgh, 1984), 49–66.

⁴¹ *Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati*, D. Macpherson (1814–19), i, 40.

⁴² M. Dolley and W.A. Seaby, 'A find of thirteenth-century pewter tokens from the National Museum excavations at Winetavern Street, Dublin', *The Numismatic Circular*, 79 (1971), 446–8.

⁴³ For gildsmen from Arras, Dinant, St Omer and Paris (in 1245–6 alone), see *DGMR*, 83; for ceramics, see A. Halphin, *The Port of Medieval Dublin: Archaeological excavations at the civic offices, Winetavern Street, Dublin, 1993* (Dublin, 2000), 105–8.

Dublin, then, may have acted as an entrepot for south-western Scotland. But there are other possibilities too.

Some Gallovidian wool perhaps found its way to England. Slightly later, in 1266, John Balliol sought English protection for the monks of Dundrennan who were travelling hither to sell their wool.⁴⁴ Now, with copious supplies of its own, England was no more in need of Gallovidian wool than Ireland. Presumably whoever purchased Dundrennan's wool in 1266 sought to re-export it to Flanders and certainly several ports in western England, like those in eastern Ireland, maintained direct maritime links with Flanders. Alternatively, Dundrennan and Glenluce may have made use of their Cistercian contacts, channelling wool to foreign market alongside that belonging to the Cumbrian abbey of Holm Cultram. Economic collaboration between Holm Cultram and its Gallovidian neighbours is evident slightly later: Sweetheart stored some of its wool in Holm Cultram's granges in 1296–97.⁴⁵ Holm Cultram's wool did not (or at least did not always) take the circuitous maritime route to market, via the Irish and North Seas. Instead, it was sometimes transported by cart via Hexham to Newcastle, and perhaps also to Hartlepool, where the abbey also possessed property, before being sent overseas.⁴⁶

The south-western Cistercians were not alone in maintaining commercial contacts with England as well as the Netherlands. The trading tentacles of Melrose, at least, stretched both across the land frontier and along the eastern sea routes to England. In the twelfth century Melrose had acquired a house in Carlisle and, although it subsequently bequeathed this property to its daughter house of Holm Cultram, the monks of Melrose retained hospitality rights as and when they, or their lay brothers, visited the Carlisle fair.⁴⁷ As a great commercial meeting point this fair paled into insignificance by comparison with those of Champagne and, indeed, by comparison with some other English fairs, such as that staged in the Lincolnshire town of Boston. But there too, by c.1230, Melrose had obtained property, in which (presumably in reciprocity for the deal made in Carlisle)

⁴⁴ CDS, i, no. 2414.

⁴⁵ *Rotuli Parliamentorum ut et Petitiones et Placita in Parlamento* (London, 1767–77), i, 471.

⁴⁶ CDS, i, no. 2340; *The Register and Records of Holm Cultram*, edd. F. Grainger and W.G. Collingwood (Kendal, 1929), nos 40d, 109, 112.

⁴⁷ *Holm Cultram Register*, no. 40d.

Melrose permitted the monks of Holm Cultram to stay whenever necessary.⁴⁸ Like the Champagne fairs, though to a more modest extent, the Boston fair was a venue at which financial transactions were settled. It was there, from 1223, that the monks of Melrose paid their annual rent to the Lincolnshire monks of Vaudey, who had leased their Scottish lands to Melrose.⁴⁹ The Boston fair was, however, also a commercial gathering, frequented by merchants from all around the North Sea littoral. While it is possible that Melrose disposed of wool there (for re-export to the Netherlands), it seems more likely that the Border monks were attracted to the Wash by corn and wine. Grain was in limited supply in the comparatively densely populated Low Countries, but more plentiful in eastern England; and Gascon wine was already brought in quantity to the East Anglian ports from the English crown's French appanage.⁵⁰ Indeed, if Melrose did dominate the trade of the Scottish Cistercians, it was perhaps as much due to its handling of these imports—presumably funnelled through its Boston property and thence by sea to its Berwick tenement—as it was to any responsibility which Melrose exercised for wool exports.

The Size of the Cistercian Circle

A sophisticated trading nexus, combined with an elaborate administrative structure, made the Scottish Cistercian monasteries genuinely European communities within Scotland. These communities were, moreover, perhaps larger than one might expect. Their population included not just monks, but also a labour force of lay brethren (*conversi*, who had taken monastic vows) and other labourers (*laici*, who had not taken such vows and who might have dependent families). The monasteries were also host to a stream of visitors, and perhaps several infirm paupers and a few corrodians as well. *Conversi* and *laici* undertook a variety of chores, providing the monastic community not just with farmers, but also with cooks, masons, messengers, shoe-

⁴⁸ *The Coucher Book of Furness Abbey*, ed. J. Brownhill (Chetham Society, 1915–19), ii, 507; *Holm Cultram Reg.*, nos 256–258.

⁴⁹ *Melrose Liber*, i, no. 195.

⁵⁰ E.M. Carus Wilson, 'The medieval trade of the ports of the Wash', *Medieval Archaeology*, 6–7 (1962–63), 182–201.

makers, tanners and other occupations besides. Some *conversi* even provided commercial services: as we have seen, it was envisaged that those from Melrose might attend the Carlisle fair and 'friars' (? lay brothers) accompanied the wool of Melrose and Coupar Angus abroad in 1225.⁵¹ Unfortunately, there are few precise indications of the size of the Scottish Cistercian compliment in the thirteenth century, save for Kinloss which apparently had 25 monks in 1229.⁵² It seems unlikely that other houses would have had fewer monks in the mid-sixteenth century, by when overall populations levels were markedly lower and monasticism less fashionable, than they had in the early thirteenth century. Indeed, in 1229 Kinloss had six more monks than it apparently did in 1537. Elsewhere, Melrose is likely to have at least thirty-two monks in 1536, and if its proportionate loss mirrored that at Kinloss, it would have had forty-two monks in the early thirteenth century. Melrose, on the basis of its later tax assessment and along with Coupar Angus and Dundrennan, is likely to have been the largest Cistercian house in Scotland, but, by similar reckoning, even the much smaller house of Deer would have had fifteen or sixteen monks during Alexander II's reign.⁵³ A greater degree of speculation is required in estimating the non-monkish element of the Scottish houses. Across the Cistercian world the number of *conversi* was declining in the early thirteenth century, and the number of *laici* increasing. If we assume that decline and growth in these numbers broadly cancelled each other; if we allow for a reasonable number of the sick, the old and visitors; and if we assume that the population of Scottish houses was not vastly different from comparable houses elsewhere, then the population of the greater Scottish monasteries was probably to be numbered in hundreds.⁵⁴ This was equivalent to that of a small Scottish town, but one whose regulation and livelihood was intimately connected with contacts abroad.

⁵¹ *CDS*, i, no. 904.

⁵² *Kinloss Recs.*, 119.

⁵³ *Tax Book of the Cistercian Order*, 66–69; Cowan and Easson, *Religious Houses*, 76.

⁵⁴ J.S. Donnelly, *The Decline of the Medieval Cistercian Laybrotherhood* (New York, 1949); D.H. Williams, 'Layfolk within Cistercian precincts' in J. Loades, ed., *Monastic Studies II* (Bangor, 1991), 87–116.

The Wider Ecclesiastical Circle

The Cistercians constituted only a minority of Scotland's monastic communities, let alone of its total population, and it does not follow that other Scottish clerics were as cosmopolitan in disposition as the Cistercians. Of course, some of the factors which prompted Cistercian travel were equally applicable to other churchmen. The lure of the papal court had not yet reached its zenith, not least because it was only in the fourteenth century that the papacy extended its financial demands and its rights of appointment to ecclesiastical office. Nevertheless, faith in papal authority already enticed some to Italy—Paisley Abbey, for instance, acquired papal bulls in 1219, 1226 and 1232.⁵⁵ Royal service provided others with an opportunity for travel—the bishop of Glasgow was among the envoys that travelled to France, in order to secure the hand of Marie de Coucy as the king's second wife.⁵⁶

Commerce attracted yet others abroad. Although only Cistercian wool appears in the Douai schedule of c.1250–70, that of Benedictine Dunfermline and Coldingham, Tironensian Kelso and Augustinian Holyrood and Jedburgh appear in the later Pegolotti price list, as does the produce of the Templar estate at Balantrodoch.⁵⁷ We may tentatively assume that these monasteries too were beginning to export wool in Alexander II's reign. Meanwhile, firmer evidence of ecclesiastical trade comes from the west. Like Dundrennan and Glenluce, the Tironensian monks of Kilwinning and the bishop of Galloway sought supplies from Ireland—the former following the probably poor harvest of 1227 and the latter in 1246.⁵⁸ Although in 1202 and 1260 Arbroath was granted freedom from tolls in England, there is considerably less evidence of monastic commercial activity from the east—lending support to Duncan's argument that here secular merchants had generally superseded monks as the main middlemen of overseas trade.⁵⁹

⁵⁵ Public Record Office Northern Ireland, Belfast, D623/B7/1/1–2; *Registrum Monasterii de Passelet* (Maitland Club, 1832), 111–112, 342.

⁵⁶ *The Original Chronicle of Andrew of Wyntoun* (Scottish Text Society, 1903–14), v, 80–83, 94–97.

⁵⁷ Pegolotti, *La Pratica della Mercatura*, 259.

⁵⁸ *CDS*, i, nos 982; *CDI*, i, nos 2830.

⁵⁹ *CDS*, i, no. 2231; Duncan, *Making of the Kingdom*, 505.

Still, in east and west alike, monasteries maintained cross-border property interests. Jedburgh, for instance, possessed land in Carlisle (perhaps as early as the thirteenth century). St Andrews had appropriated the churches of Carlingford and Ruskath (now Rooskey) in Co. Louth—though its fragile, if lucrative, hold of these rights is suggested by the prudent attempt of the St Andrews canons to acquire official confirmation of them from the English crown, amid the tense political atmosphere which prefigured the 1237 Anglo-Scottish treaty.⁶⁰ Meanwhile, English houses (such as the Augustinian priory of Lanercost and perhaps that of Carlisle) also maintained territorial interests in Scotland, those of the Yorkshire priory of Guisborough, thanks to Bruce benevolence, including the churches of Annan, Lochmaben, Kirkpatrick, Rainpatrick, Cumbertrees and Gretna.⁶¹ Appropriations and other territorial interests of this sort presuppose that churchmen had developed mechanisms for delivering the fruits of their holdings back home.

Many secular clergymen had more scholarly reasons for travel: university qualifications could only be obtained abroad. We know comparatively little about what and where students studied in Alexander II's reign. The most famous universities at the start of the thirteenth century were in Bologna and Paris. The reputation of the former was based on its law schools, while the latter specialised in theology, though both offered foundation arts courses. Montpellier and Salerno, meanwhile, were renowned for their medical instruction and perhaps attracted some Scots. Medical graduates obtained employment at the royal court and, in at least one instance, in the earl of Dunbar's household, though we do not know where they had previously studied.⁶² Physicians, however, probably accounted for only a small proportion of the 170 or so graduates with Scottish associations who are recorded during Alexander II's reign. Moreover, although the possibly Scottish Simon Scot was among those who ventured to Italy, the majority of Scots, such as the future bishop

⁶⁰ *Calendar of Inquisitions Miscellaneous*, ii, no. 1146; *CDI*, i, nos 2397, 2408; *CDS*, i, no. 1365. I am very grateful to Dónall Mac Giolla Easpig of the Placenames Office, Dublin, for identifying Ruskath.

⁶¹ *The Lanercost Cartulary*, ed. J.M. Todd (Surtees Soc., 1997), nos 53, 163; J. Wilson, ed., *The Victoria History of the Counties of England: Cumberland* (London, 1901–5), ii, 145; National Archives of Scotland, Edinburgh, RH1/2/62.

⁶² D.E.R. Watt, *A Biographical Dictionary of Scottish University Graduates to A.D. 1410* (Oxford, 1977), 427–8, 515, 583.

of St Andrews, William Wishart, probably studied at the Parisian academies or, like the comparatively obscure clerks John Curry and Gilbert of Dunfermline, at Oxford.⁶³ The choice of university was as yet limited—though in 1220 John of Berwick, already a graduate, chose another option by pursuing further studies at the schools of Lincoln.⁶⁴

The chance survival of William Bernham's letters affords an unusual glimpse of thirteenth-century academic life, how it was financed, and the contacts which students maintained with both their peers and their homeland while absent abroad. William was, in theory, affluent. He hoped to finance his studies, first at Paris and then at Oxford, from the income of several Scottish benefices; but he moaned to his mother and others about depredations made by peasants and bishops on his income from the Perthshire rectory of Inchtute, perhaps suggesting a shortage of cash. Gilbert of Dunfermline overcame a similar problem by borrowing 40s from the bishop of Carlisle's cook.⁶⁵ Private income or wealthy patrons were important for financing study. *Plus, sadly, ça change.*

The longer-term impact of Gilbert's residence abroad was nullified by a lethal assault to which he fell victim in 1248. For others, however, the consequences of travel abroad went way beyond the perhaps fonder memories with which they returned. Contacts with the papal court gave substance to the notion of a single, united Christendom, papal authority providing a common point of reference for all the faithful, wherever they lived. Meanwhile, study abroad exposed the student to a world of learning that not only provided a common philosophical understanding of the world, but also helped to promote an international culture. David Bernham (later bishop of St Andrews) presumably returned home with the ideas that informed graduate clerics throughout Christendom, but probably also with music composed at Notre Dame in Paris.⁶⁶ Others were perhaps responsible for the acquisition of artistic artefacts, such as the thirteenth-century Limoges crucifix, found at Ceres in Fife, and the sim-

⁶³ Watt, *Biographical Dictionary*, 138, 165, 490–1, 590–4.

⁶⁴ Watt, *Biographical Dictionary*, 46.

⁶⁵ 'Letters of a Scottish student at Oxford and Paris, c.1250', edd. N.R. Ker and W.A. Pantin in *Formularies Which Bear on the History of Oxford*, ii, edd. H.E. Salter et al. (Oxford Historical Society, 1942), nos 1–2, 6, 14; *Calendar of Liberate Rolls, 1245–1251*, 182.

⁶⁶ J. Purser, *Scotland's Music: A history of the traditional and classical music of Scotland from earliest times to the present day* (Edinburgh, 1992), 51.

ilarly-dated Limoges plaque, depicting the head of Christ, found on Benbecula.⁶⁷ And yet others acquired books. Writing in the fifteenth century Walter Bower had access to twelfth- and thirteenth-century works by, among others, William of Malmesbury, Caesarius of Heisterbach, Henry of Huntingdon, Geoffrey of Monmouth and Martin of Troppau, as well as a version of Vincent of Beauvais's *Speculum Historiale* first compiled in the mid-1250s. Since Bower's knowledge of foreign works dating from the fourteenth- and fifteenth centuries was minimal—Froissart, de Pisan and Villon do not figure in the *Scotichronicon*—there is a good chance that Bower's copies of earlier works were brought to Scotland soon after they were written.⁶⁸

The vitality of the religious bond between Scotland and Christendom is vividly exemplified, and was strengthened, by the welcome that Scotland provided to the new religious impulses of the thirteenth century. Attempts were made to propagate the cult of foreign saints, such as Edmund of Abingdon.⁶⁹ While it is perhaps not surprising that the appeal of this saintly academic proved limited, the growing importance of Marian devotion is evident in the dedication of not only the Cistercian houses, but also the Dominican friary in Edinburgh. Indeed, of the nine Dominican houses first attested during Alexander II's reign, each was dedicated to a different saint of international reputation, while three of the six hospitals first recorded in the reign took the sixth-century French saint Leonard as their patron.⁷⁰ The growing intrusion of foreign saints was, of course, in part a consequence of the influx of foreign modes of worship. Most significantly, in this respect, Alexander II and his subjects witnessed the coming of the friars in 1230–31. By the end of the reign the Dominicans and Franciscans, holding a special brief for the spiritual welfare of the towns, were established in at least a dozen urban locations—a reasonable measure, indeed, of contemporary Scottish urbanisation.⁷¹ But other mendicants, such as the Trinitarians, whose mission was to raise funds for captured crusaders, came too.⁷²

⁶⁷ J.M.D. Peddie, 'Note of a crucifix of bronze, enamelled, found in the churchyard of Ceres in Fife', *Proceedings of the Society of Antiquaries of Scotland*, 17 (1882–3), 146–51 [hereafter *PSAS*]; D.H. Caldwell, 'An enamelled plaque from Borne, Benbecula', *PSAS*, 109 (1977–8), 378–80.

⁶⁸ *Chron. Bower*, ix, 234–51, 260–80.

⁶⁹ D. McRoberts, 'St Edmund in Scotland', *Innes Review*, 13 (1962).

⁷⁰ Cowan and Easson, *Medieval Religious Houses*, *passim*.

⁷¹ *Chron. Bower*, v, 145; Cowan and Easson, *Medieval Religious Houses*, 114–28.

⁷² Cowan and Easson, *Medieval Religious Houses*, 107–12; A. Macquarrie, *Scotland and the Crusades, 1095–1560* (Edinburgh, 1985), 48.

Although many of the new orders may have been composed predominantly of Scots, the sight of a foreign churchman cannot have been unusual in thirteenth-century Scotland. Some were to be found in the new monastic establishments, including the military orders of the Temple and Hospital, while others figured among the secular clergymen.⁷³ Aside from a gaggle of senior priests, mainly of English origin, their number probably included (the Frenchman?) Emery (de Rochechouart?), at the Berwickshire church of Lauder by 1245–6, and several Italians, four of whom held Glasgow canonries by 1248.⁷⁴ They, presumably, were normally absent from their posts, as in all probability was the apparently Scottish canon of Abbeville in France, Hugh Picard. Other Scots who held foreign benefices, such as the Huntingdon priest John of Berwick and the Worcester archdeacon William Stichill, were perhaps more diligent.⁷⁵ Still, in this growing internationalisation of church appointments we can already detect the emergence of what in later centuries was to become a major problem: clerical absenteeism.

Despite the many and varied contacts forged by clergymen with foreign countries, their overseas interests are not quite as impressive as those forged by the Cistercians, mainly because other clerics were not subject to the same degree of intrusive supervision which bound the Cistercians to the continent. True, with no archbishop of their own, most Scottish bishops were directly answerable to the pope, in a manner in which most other bishops in Christendom were not; but the frequency of episcopal contacts with the bishop of Rome is questionable. True, some senior clerics attended the general councils of the church, and on such occasions, mingled with their counterparts from throughout Europe; but only two councils were convened during Alexander II's reign, in 1215 and 1245. True, many secular clerics attended university; but a degree was not a prerequisite for episcopal office. Only seven of the thirty-one bishops who served

⁷³ *The Knights of St John of Jerusalem in Scotland*, eds I.B. Cowan, P.H.R. Mackay and A. Macquarrie (Scottish History Society, 1983), pp. xx–xxii, xxviii.

⁷⁴ Watt, *Biographical Dictionary*, 179; *Calendar of Entries in the Papal Registers: Papal Letters, 1198–1304*, ed. W.H. Bliss (London, 1893) [hereafter *CPL*], 257. See too *CPL*, 188, 225, 228, 235–37, 244–45, 257–58; Ferguson, *Medieval Papal Representatives*, 246.

⁷⁵ Watt, *Biographical Dictionary*, 46, 450, 515–6. See too *ibid.*, 461–2 and *CPL*, 227, for what appears to be a Danish canonry held by Peter de Ramsay, bishop of Aberdeen.

during Alexander II's reign are known to have possessed such a qualification.⁷⁶ As for the regular clergy, some were locked into administrative structures which, up to a point, mirrored those of the Cistercians. The Dominican friars, for instance, held provincial chapters, and those held at Beverley in 1240 and at London in 1250 were probably attended by Bishop Clement of Dunblane;⁷⁷ but these meetings lacked the universality of their Cistercian equivalents. Moreover, many orders, such as the Benedictines and (before 1256) the Cluniacs, held no such gatherings, while others allowed continental links to lapse. By this period Casmbuskenneth seems not to have maintained contacts with its French mother house of Arrouaise; and it is surely significant that the Cluniac houses of Crossraguel and Paisley were granted abbatial status, and the comparative degree of independence which that bestowed, following royal pleas in 1219. The monks of the two houses had endured much danger and injury, King Alexander claimed, as a result of their obligation to visit their mother-house at Cluny in Burgundy.⁷⁸ This concession to the tyranny of distance was not afforded to most other Cluniac priories, over which the abbot of Cluny kept a much closer watch. If we are witnessing concentric circles of cosmopolitanism, that of the Cistercians reached further than most.

The Urban Circle

Those of the towns carried more modestly still, rippling, rather than roaring, across the North and Irish Seas. The patterns of urban commerce were not dissimilar to those of monastic trade. In the west Ireland was a regular destination of traders, as is implied by the detention of Scottish merchants in Dublin, Drogheda and Ulster during the politically tense year of 1237.⁷⁹ Unfortunately little more is known of Scottish commercial activities with either Drogheda or Ulster during Alexander II's reign, though for Dublin we are better

⁷⁶ Watt, *Biographical Dictionary*, 5-7, 41-4, 99-103, 374-9, 407-10, 414-7, 460-3. See too *ibid.*, 289, 435-6, 524.

⁷⁷ Watt, *Biographical Dictionary*, 99.

⁷⁸ L. Milis, *L'Ordre des Chanoines Reguliers d'Arrouaise* (Bruges, 1969), i, 323-337; *Paisley Reg.*, 8.

⁷⁹ *CDI*, i, no. 2407; *CDS*, i, no. 1365.

informed, thanks to the survival of the records of admission to the town's gild merchant. The earliest entries, dating from the later twelfth century, are listed without differentiation as to year of admission. Their number include several Scots, including the son of the *prepositus* of Kirkcudbright.⁸⁰ From 1222–3, however, new gild members were listed by (English) regnal year until the final entry for 1264–5. While the scribes did not routinely note the origin of gild members, from those instances when they did, plus other personal names which include a place-name element, it would seem as if at least 1.37% of over 3,200 gildsmen from 1222 to 1249 were of Scottish or Isles extraction. These men, we must assume, were either residents of Dublin or regular visitors to the city, since admittance to a gild was costly and unlikely to entice the merchant who only occasionally traded in the town. Amongst them were some of apparently east-coast origin, such as William of Coldingham (in 1237–8), though a group of four from 'Villa Sancti Johannis', admitted in 1235–6, is perhaps more likely to have come from Roscommon than Perth.⁸¹ Most 'Scots', however, came predictably enough from the west coast. They included a few Islesmen and Highlanders, such as Humphrey the Islesman (1229), Bartholomew of the Isles (1230–1) and Molmore of Argyll (1243–4).⁸² The Highlanders were, however, outnumbered by men from the south-western towns of Dumfries, Irvine, Kirkcudbright, Rutherglen and above all Ayr, which provided Dublin with nineteen gildsmen between 1222 and 1250, if we include Stephen, nephew of the sheriff of Ayr, admitted in 1229–30.⁸³ The gild records remain silent as to what these Scots were doing in Ireland, but it seems reasonable to suppose that, like monks, they sought grain and wine, perhaps, by way of return, selling wool and herring. Corn was certainly among the purchases that Erskin of Kirkcudbright (not, so far as is known, a gildsman) sought to make in 1237, and fish was among the merchandise sold by Scots in early fourteenth-century Ireland.⁸⁴ Although the evidence is circumstantial,

⁸⁰ *DGMR*, 45. The title *prepositus* is interesting, given that Kirkcudbright is not known to have acquired burgal status until the fourteenth century: G.S. Pryde, *The Burghs of Scotland: A critical list* (Glasgow, 1965), no. 43.

⁸¹ *DGMR*, 69, 72.

⁸² *DGMR*, 59, 62, 79.

⁸³ *DGMR*, 48–89, *passim*. Stephen is recorded in *ibid.*, 61.

⁸⁴ *CDI*, i, no. 2424; *CDS*, i, no. 1372; *Calendar of Justiciary Rolls, Ireland*, ed. J. Mills (Dublin and London, 1905–14), ii, 226.

similar sales and purchases were probably made in the towns of north-western England.⁸⁵

In the east the patterns of secular commerce are clearer. There too the mainstays of trade were grain, wine and wool. While the Cistercians had probably pioneered intensive sheep farming, peasants throughout eastern and southern Scotland are likely to have relied heavily on their income from wool sales, particularly as growing population may already have been having an adverse impact on the size of peasant holdings. As in the west the ultimate market for eastern wool was probably the Low Countries, though we are surprisingly poorly informed of direct contacts between Scotland and Flanders during Alexander II's reign. Still, one piece of comparatively late evidence is highly suggestive of a major export trade to the Netherlands. In 1249 the Berwick merchant Philip of Rydale sold forty sacks (6.12 tonnes) of wool to Jakemes di Cauderliers of Ypres.⁸⁶ This was a substantial quantity of wool for a single merchant to handle, and it may suggest that Philip had made a bulk purchase from either an aristocratic or a monastic estate. Whatever its source, Philip's dealings indicate that urban merchants, as well as Cistercians, had become important figures in the wool trade, for Philip was surely not unique in conducting business at the heart of the Flemish textile producing region. Indeed, there are other indications that he was not.

In 1229 two Berwick merchants were detained at the Kent ports of Romney and Sandwich.⁸⁷ Had it not been for the misdirected zeal of English officialdom, which wrongfully arrested the cargoes of, in total, ten sacks of wool, it seems likely that the two merchants would have proceeded either to Flanders or to the great cloth producing towns of St Omer and Arras. These locations are also the most likely destination of the wool which Gervaise the Cordwainer intended to ship from Berwick to London in 1229 and the seventy-five sacks of Scottish wool in the possession of East Anglian merchants in 1242.⁸⁸ And a mid thirteenth-century satire refers to an

⁸⁵ H. Summerson, *Medieval Carlisle* (Kendal, 1993), i, 102, 141–142.

⁸⁶ *Analyses de Reconnaissances de Dettes Passées Devant L'Échevin d'Ypres, 1249–1291*, ed. C. Wyffels (Brussels, 1991), no. 459.

⁸⁷ *CDS*, i, nos 1042, 1051.

⁸⁸ *CPR 1225–32*, 261; *CDS*, i, no. 1594. See too G.A. Williams, *Medieval London from Commune to Capital* (London, 1976), 67.

English merchant trading in Scottish wool at Arras.⁸⁹ Indeed, it says much about the value of the Scottish wool trade, despite the scarcity of sources, that it attracted the attention of entrepreneurial English middlemen of the Cordwainer's standing. As an alderman of London and royal chamberlain, Gervaise may be considered among the elite of London mercantile society. His interest in Scottish wool is, however, more readily understandable if we shift our gaze to the continental town of St Omer. Here, as well as in northern Flanders, wool was in great demand to furnish a cloth industry whose production of says probably reached a peak of around 60,000 cloths *per annum* at around the time of Alexander II's death.⁹⁰

Wool aside, wine and grain provided the fuel of eastern commerce, for while religious beliefs dictated monkish demand for these commodities, culture and custom had established an aristocratic market for the same products. Wheat and wine had been the dietary staples of the Alexandrian aristocracy's Anglo-French ancestors, and by the thirteenth century originally French tastes had found favour with those of similar social standing who lacked a French pedigree. Some wine seems to have arrived in Scotland pretty much direct from its closest source, for in the later 1240s Bordeaux merchants created a seemingly legitimate fuss regarding tardy satisfaction of debts owed them for wine by the men of Perth.⁹¹ Once again, however, English middlemen had acquired a role in this trade. In 1229 the London merchant Gervaise the Cordwainer had intended to ship wine to Scotland, in exchange for the wool which he bought, and other prominent London merchants who specialised in the wine trade—William Hardel, Andrew Bukerel and John de Gisorz—were also periodically to be found trading in Scotland.⁹² Some wine also reached Scotland from Lynn. Indeed, the royal household occasionally acquired its supplies there, though the main attraction of the East Anglian port (like Ireland) was probably its grain market.⁹³

⁸⁹ A. Jeanroy and H. Guy, eds, *Chanson et dits artésien au XIII^e siècle* (Bordeaux, 1898), 79–82, as quoted by R. van Uytven, 'Cloth in the medieval literature of western Europe', in N.B. Harte and K.G. Ponting, eds, *Cloth and Clothing in Medieval Europe* (London, 1983), 179–80.

⁹⁰ A. Derville, 'Les draperies flamandes et artésiennes vers 1250–1350: quelque considérations critiques et problematiques', *Revue du Nord*, 54 (1972), 366.

⁹¹ *CDS*, i, nos. 1694, 1768. See too *CDS*, i, no. 935.

⁹² *CPR* 1225–32, 241; *CDS*, i, no. 1588; Williams, *Medieval London*, 51, 64, 325–326.

⁹³ *CDS*, i, nos 600, 858, 876, 881, 907, 932, 934, 1044, 1084, 1102; *Calendar of*

In the absence of detailed customs accounts for the reign we can but guess at the true value of both religious and secular trading contacts in Alexander II's Scotland. Nevertheless, despite similar difficulties scholars are generally agreed (largely on the basis of numismatic analysis) that late thirteenth-century Scotland enjoyed both a rapid expansion in its money supply and a healthy balance of payments surplus. Similar conclusions are far less readily reached for Alexander II's reign—even although the author of the Icelandic *Laxdaela Saga*, composed in about 1245, considered that there was 'good living' in Scotland.⁹⁴ Hoards from the earlier thirteenth century are limited and numismatic analysis correspondingly more difficult. The lack of buried coin does, however, suggest that Alexander's reign was a period of political stability, providing a context generally conducive to economic prosperity. Indeed, political harmony was presided over by a seemingly confident king who, unlike other monarchs, felt no need to publicise his own status on coins: most of Alexander's pennies continued to bear the name of his predecessor. Moreover, the parity of the Anglo-Scottish exchange rate meant that English coins circulated freely and abundantly in Scotland too. These, of course, added appreciably to the Scottish money supply but further complicate the process of numismatic analysis. Still, it seems likely that several thousand pounds worth of coin were minted during Alexander's reign: between £7,500 and £12,000 from c.1210 to the late 1220s; £1,000 from then until the 1230s; and between £1,500 and £3,000 from the mid 1230s to 1249.⁹⁵ These sums are much smaller than the £50,000 or so estimated to have been produced in the early years of Alexander III's reign, and the £130,000–£180,000 re-coined in the later part of Alexander III's reign. Yet we are not perhaps comparing like with like.

The re-coinage of the 1250s saw the introduction of a new style of penny—the long cross—modelled on a new English issue. This re-coinage (which probably involved the smelting of old-style Scottish and English short-cross coins then circulating on Scotland) is likely

Close Rolls (London, 1900–) [hereafter *CCR*], 1227–31, 308; *CPR* 1247–58, 277; *Rotuli Literarum Clausarum in Turri Londinensi Asservati*, ed. T.D. Hardy (Record Commission, 1833–34), i, 254, 259, 260, 607; ii, 38, 110.

⁹⁴ *Laxdaela Saga*, edd. M. Magnusson and H. Pálsson (Harmondsworth, 1969), 49.

⁹⁵ I. Stewart, 'The volume of early Scottish coinage' in D. Metcalf, ed., *Coinage in Medieval Scotland, 1100–1600* (Oxford, 1977), 69.

to have been far more general than those in Alexander II's reign. Since, at this time, English pennies were of parity with their Scottish equivalents and of the same style, there was little point in smelting them. What, then, were Alexander II's moneyers smelting? Nicholas Mayhew is of the opinion that 'the vast majority of Scottish long cross coin made after the general re-coinage [of the 1250s] was largely complete will have been struck from foreign (principally Flemish) silver'.⁹⁶ If correct, it is tempting to assume that this too was the origin of the re-coinages during the previous reign—and a sign that the profits of trade were considerably more modest in the early thirteenth century than in the later thirteenth century.

The Aristocratic Circle

Outwith the towns the secular population enjoyed fewer opportunities for travel. Diplomatic contacts enabled some Scots, such as Walter Stewart, to travel abroad (in his case to arrange the king's second marriage) and brought a few foreigners, such as the Englishman William Turner, to Scotland.⁹⁷ Religious enthusiasms led others to make well publicised visits to foreign shrines, and some to take the cross and join God's armies on crusade. Scotland too was the destination for some foreign pilgrims—the earl of Pembroke had planned to visit to St Andrews before 1226—though on balance foreign visitors seem to have been outnumbered by those Scots who ventured abroad.⁹⁸ In 1220 Walter Stewart and Robert Bruce made their way to Canterbury to witness the translation of Thomas Becket's relics. King Alexander himself received a safe conduct to visit Canterbury as a pilgrim in 1222, and similar intentions may lie behind the proposed journeys of others, such as Eva, widow of William Comyn, in 1224.⁹⁹ More adventurously, Henry de Balliol, Alexander II's cham-

⁹⁶ N. Mayhew, 'Money in Scotland in the thirteenth century' in Metcalf, *Coinage*, 92.

⁹⁷ *Chron. Wyntoun*, v, 80–83, 94–97; *Roll of Divers Accounts*, ed. F.A. Cazel (Pipe Roll Soc., 1982), 18.

⁹⁸ *Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica*, ed. T. Rymer (London, 1816–69), i, 182.

⁹⁹ G.W.S. Barrow, 'Early Stewarts at Canterbury', *The Stewarts*, 9 (1953), 230–3; *CDS*, i, nos 831, 873, 880.

berlain, apparently died while visiting Compostella, though his body was returned for burial at Melrose in 1246.¹⁰⁰ Shortly afterwards—in 1252—Alexander Stewart also made plans to venture to Spain on pilgrimage, as, perhaps, did others.¹⁰¹ Unfortunately we do not know who was responsible for the unpleasant task of carrying Balliol's corpse back to Scotland, but it seems unlikely that either he or other aristocratic travellers ventured abroad without servants. The poorer and (to us) nameless sections of society thus also possessed opportunities for travel, albeit on aristocratic coat tails.

Humble attendants probably also accompanied aristocratic crusaders, though (as with pilgrims) our evidence of crusading activities for Alexander II's reign is comparatively sparse. This is not necessarily a reflection of limited crusading enthusiasm—though it may have been, given that the debacle of the Fourth Crusade was well within living memory. Nevertheless, crusading opportunities were restricted in the early thirteenth century. As yet neither the Baltic nor the Iberian crusades were the great cosmopolitan enterprises which they were to become in the fourteenth century. For most Christians crusading remained an activity to be undertaken in the Middle East, though major campaigns there coincided roughly with only the early and later years of Alexander's reign. Both the Fifth Crusade (launched against Damietta in 1218–19) and the first of Louis IX's crusades (likewise directed against Damietta in 1249) were probably widely proclaimed in Scotland. The former had received papal blessing at the Fourth Lateran Council (1215) and the latter gained similar approval at the First Lyon Council (1245). Both councils had been attended by several Scottish representatives, who presumably disseminated crusading propaganda among their flocks on their return home.¹⁰²

The most prominent among those who joined the Fifth Crusade was the Anglo-Scottish lord Saher de Quincy, whose ship for transit to Egypt was built in Galloway. De Quincy died at Damietta in November 1219, but a small group of Gaelic speakers survived the experience and recounted their exploits in verse.¹⁰³ Meanwhile, only

¹⁰⁰ *Chron. Bower*, v, 189.

¹⁰¹ *Paisley Registrum*, 90–91.

¹⁰² *CPL*, 229.

¹⁰³ *CDS*, i, nos 703, 782; Macquarrie, *Scotland and the Crusades*, 35–39.

one prominent magnate, Patrick, earl of Dunbar, is known to have responded to Louis IX's crusading call—and Patrick died at Marseilles before engaging any Saracens.¹⁰⁴ Of course, other Scots too may have joined both crusades and it was perhaps one of them, rather than the earl, who, while on the way to the Mediterranean ports, abandoned the Scottish coins since found at Montpellier.¹⁰⁵ Still, we cannot be sure that crusading provided anything but a tiny minority of the Scottish population with experience of foreign travel. Indeed, many seem have to have taken crusading vows and then not departed for the Holy Land;¹⁰⁶ and rather more were perhaps already fighting in Ireland than the Holy Land—not for God, but either to feed the territorial ambitions of more mortal lords or as mercenaries.¹⁰⁷

For the elite and their servants, at least, estate management was a far more likely impetus towards foreign travel than crusading, for several landowners (like de Quincy) possessed lands in more than one kingdom. The royal family itself was, of course, to be counted among their number. The Anglo-Scottish treaty agreed at York in 1237 made the king into an important landowner in Cumberland and Northumberland, and lands here were augmented by the king's acquisition of those belonging to his uncle, David, earl of Huntingdon, who died in 1219. Alexander's first wife, Joan, also possessed manors at Stanton in Huntingdonshire and Driffild in Yorkshire.¹⁰⁸ The royal family was, however, far from unique in its supra-national territorial landholdings. Many of the greatest Scottish magnates, such as Patrick, earl of Dunbar, and Thomas, earl of Atholl, held lands

¹⁰⁴ Macquarrie, *Scotland and the Crusades*, 47–48. See too *CDS*, i, no. 1737; *CPL*, 261; *CPR*, 1247–58, 20.

¹⁰⁵ J. Yvon, 'Esterlins à la croix courte dans les trésors français de la fin du XII^e et de la première moitié du XIII^e siècle', *The British Numismatic Journal*, 39 (1970), 49.

¹⁰⁶ *CPL*, 168, 243.

¹⁰⁷ K. Stringer, 'Periphery and core', 87–88; J. Lydon, 'The Scottish soldier in medieval Ireland: The Bruce invasion and the galloglass' in G.G. Simpson, ed., *The Scottish Soldier Abroad, 1247–1967* (Edinburgh, 1992), 7.

¹⁰⁸ M.F. Moore, *The Lands of the Scottish Kings in England* (London, 1915); *The Great Roll of the Pipe* (Pipe Roll Soc., 1932–), 3 *Henry III*, 168–9; 4 *Henry III*, 191–2; 5 *Henry III*, 9, 6 *Henry III*, 10, 221; 14 *Henry III*, 261; *Pipe Roll 26 Henry III*, ed. H.L. Cannon (New Haven, 1918), 14–15, 108, 117; *The Memoranda Roll of the King's Remembrancer for Michaelmas, 1230—Trinity, 1231*, ed. C. Robinson (Princeton, 1933), 10; *Memoranda Rolls, 16–17 Henry III*, ed. R.A. Brown (London, 1991), no. 434; *CCR*, 1231–34, 589; *CPR*, 1232–47, 94, 158, 210, 214; *Calendar of Liberate Rolls, 1226–40* (London, 1916), 319.

in England and/or Ireland, while the territory of others, notably the descendants of Somerled (*d.*1164), straddled the Scottish-Norwegian border in the west. Alan of Galloway, with interests in the three kingdoms of Scotland, England/Ireland and the Isles, was probably the greatest of these international lords, though it was not just the greatest magnates who figured among their number. As Keith Stringer has expertly demonstrated, Alan's dependants included lesser barons, such as Sir Enguerrand de Balliol, Sir Roger de Beauchamp, Sir Ralph de Campania and Sir Ivo de Vieuxpont, whose lordships were also farflung—in Balliol's case probably extending to Tours-en-Vimeu in Picardy.¹⁰⁹

We are singularly ill informed about the mechanics of estate management by those who *faux mieux* must often have been absent from at least some of their possessions. It seems likely, however, that those who normally resided in Scotland would have treated their foreign estates in much the same way that Anglo-Irish lords, who normally resided in England, administered their Irish possessions. The latter, on occasions, shipped the grain produce of their western lands to England for consumption—and this may explain Alan of Galloway's dispatch of a Kircudbright vessel to Ireland in 1215, and, indeed, if he still retained any of his Irish lands after 1224, his dispatch of another vessel to Ireland in 1233 in order to obtain victuals. Alternatively, English absentees sometimes sold the fruits of their Irish estates on the open market—one reason, indeed, why Ireland was a major exporter of grain in the thirteenth century.¹¹⁰ It may have been these surpluses which attracted not just the south-western monasteries, but also the men of John Balliol and Roger de Quincy to Ireland in 1248, unless these inheritors of Alan of Galloway's estates also gained some remnants of his Irish acquisitions.¹¹¹ Either way, foreign estates constituted an important economic asset which can only have contributed to the wealth of those aristocrats who held them.

¹⁰⁹ Stringer, 'Periphery and core', 82–113. See too G.A. Moriarty, 'The Baliols in Picardy, England and Scotland', *New England Historical and Genealogical Register*, 106 (1952), 273–290.

¹¹⁰ K. Down, 'Colonial society and economy in the high middle ages' in A. Cosgrove, ed., *A New History of Ireland. II: Medieval Ireland, 1169–1534* (Oxford, 1987), 459, 472, 478, 484–485. For Alan's commercial activities, see *CDI*, i, nos 545, 1148; *CDS*, i, no. 617.

¹¹¹ *CDI*, i, nos 2931, 2937.

Pursuing the analogy of concentric circles of international awareness, the horizons of the secular aristocracy, with a few notable exceptions such as the Balliols and the crusaders, ventured little further than the British Isles, at least in a physical sense. It was presumably lack of familiarity with Scots which led Louis IX of France to inform his son that he 'would rather have a Scot come from Scotland to govern the people of this kingdom well and justly than that you should govern them ill in the sight of all the world.'¹¹² Of course, despite Louis's seemingly disparaging remarks, the mentality of Scottish aristocrats (and their French counterparts) continued to be informed by Latin charters, French romances and the universal aspirations of the Christian faith. Yet the secular sphere lacked a counterpart to the spiritual foci provided by Rome, Cîteaux and even Cluny. Alexander II seems not to have maintained any substantive contact with his imperial counterparts who possessed none of the temporal authority in Scotland which was exercised by foreign churchmen in ecclesiastical matters. We may doubt that the Scottish king even knew that one of the candidates for the imperial succession, William, count of Holland, granted his Scottish lands to his sister in 1249. The grant itself was probably a meaningless gesture. The counts of Holland are not known to have interested themselves in the estates which they presumably received following the marriage of Alexander's aunt, Ada, to count Florence III of Holland in 1161—though a dim recollection of these rights may partly explain the unsuccessful intervention of Count Florence V of Holland in the Scottish succession crisis in 1291.¹¹³ Meanwhile, few Scots can be traced in imperial service, though the personal magnetism of William's predecessor, Frederick II, drew one possible Scotsman to his side. Michael Scot—perhaps the same Michael Scot *de regno Scocie* who bequeathed a pension to the Canterbury shrine, showing a reverence to Thomas Becket similar to that demonstrated by the Scottish magnates who trekked there in 1220—was 'the leading intellectual in western Europe during the first third of the thirteenth century'.¹¹⁴

¹¹² Jean de Joinville and Geoffrey de Villehardouin, *Chronicles of the Crusades*, ed. M.R.B. Shaw (Harmondsworth, 1963), 167.

¹¹³ *Oorkondenboek van Holland en Zeeland tot 1299*, ed. J.G. Kruisheer (Assen, 1970–), ii, no. 815.

¹¹⁴ NAS Edinburgh, RH1/2/48; L. Thorndike, *Michael Scot* (London, 1965), 1.

Scot made a name for himself firstly as a translator in Toledo and then alongside his imperial master in Italy. These, however, were dim landscapes for most Scottish nobles, who by virtue of their land ownership remained in the main locked—albeit emphatically so—into insular politics. Still, even the British/Irish horizon was one which could barely have been dreamt of many Scots. The Scotland of Alexander II, we should remember, was a society which bound many men and women to the lands of their lords. For most of them Scotland, never mind Christendom, was an abstract phenomenon.

The internationalism of thirteenth-century Scottish society was, one might conclude, determined by social position. Clerics were in closer communion with the continent than laymen; men were better travelled than women; urbanised southerners more so than rural northerners; and the wealthy minority were more cosmopolitan than the poorer majority. Yet this would be too simplistic a judgement. The menial fetchers and carriers of medieval society were able to witness distant lands as they undertook chores for their masters. We must draw a distinction too between direct and indirect contacts—between those who forged links and those who felt their repercussions. For scholars and serfs alike God and his saints were omnipresent—and though veneration of local cults may not have declined, there is abundant evidence that the great international saints were leaving their mark on the landscape of Alexander II's Scotland, and that new religious movements, such as the mendicant friars, were making as much headway in Scotland as elsewhere. Meanwhile, every peasant's sheep provided the first potential link in a chain which led to the Low Countries and Italy. The lamb of God may have taken away the sins of the world, but its mother's fleece earned hard currency.

ALEXANDER II AND THE DOUBLE TRESSURE

John Malden

For those unfamiliar with heraldic language, the background colour of the shield is always given first, followed by the principal design and then other devices or emblems. The colours mentioned are: Or [Gold/Yellow]; Argent [Silver/White]; Gules [Red]; Azure [Blue]; Vert [Green], Sable [Black].

In the Royal Heraldry of the United Kingdom, the red lion rampant with its surrounding double line or tressure with little sprigs of stylised lilies, flory counter-flory, stands out, instantly recognisable as Scottish. The origin of the double tressure has always been shrouded in mystery. This essay will clear some of that mystery. The most often quoted explanation is that it represents the surrounding protection offered to Scotland by France, since the iris or fleur-de-lis is the floral badge of that country. The myth is often repeated that the fleur-de-lis appears as a remembrance of the alliance made between Acaius, king of Scotland, and Charlemagne, king of the Franks and Emperor of the West about AD 800. Like most good stories, it is, unfortunately, completely untrue.

Rather than a symbol of an alliance with France, the fleur-de-lis can be seen as a sign of kingship. There is a legend that the fleur-de-lis was brought by an angel from Heaven to Clovis, king of the Franks, when he was baptised, as a special mark of favour from the blessed Virgin, whose symbol is the lily. It is far more likely that, at that time, the 'flower de luce' was merely a rebus punning on the name 'Louis'. The kings of France called themselves Lois or Loys (a variation of Clovis) until the reign of Louis VII (1137–80). The emblem first appears on the coinage of Louis VI (1108–37), but probably dates back far earlier as a decorative motif. A coin of Hadrian, c.135 AD, shows the territory of Gaul personified as a woman, bearing a lily in her hand. From an early date the sceptre of France was decorated with a fleur-de-lis: the crowns of Henri I (1031–60) and Philippe I (1060–1108) were thus adorned. It first appears on a French royal seal in 1179, and as an heraldic charge in 1223.¹

¹ D.L. Galbraith, *Handbuchlein der heraldic* (Lausanne, 1948), 113, 236.

The arms of France Ancient were Azure semée [sprinkled with] de lis, or. An edict of 1376 by Charles V (1364–80) reduced the number to three to symbolise the Holy Trinity. Illustrations of early European kings usually seem to show them crowned with a simple golden headband from which sprout three fleurs-de-lis. This design may have become linked inextricably with the image of kingship. A fine example of a late medieval crown can be seen in the simple gold band with tall fleurs-de-lis of Princess Blanche, daughter of Henry IV of England, who married Ludwig of Bavaria in 1401.²

The tressure is an ornamented Orle. ‘Orlo’ in Italian means an edge, border, rim, brim or hem. ‘Tressoir’ from the Old French ‘trece’ means a tress, braid, hair ribbon or frame of wood.³ A stylised hair ribbon around the forehead may equate with the simple band seen in Princess Blanche’s crown.

One of the earliest illustrations of a tressure seems to be in the battle scene depicted in the Maciejowski Bible of c.1250.⁴ One of the knights is holding a shield Argent, a tressure sable. Referring to Reitstap’s *Armorial Generale*, it is possible to plot the location of families using the tressure in Europe. In France, these families appear to be located on the borders of the country, perhaps signifying a position of authority, like a warden of the marches. In Brittany, the Barbu family bore Or, a tressure sable, whilst that of de la Lande bore Argent, a triple tressure sable and that of Tromenec bore Or, a tressure azure. A sable tressure was also borne by Brettville of Lyons and Briere of the Isle de France who shared an unusual blazon of party per fess, in chief chequy azure and argent, in base a lion rampant gules within a single tressure sable. Even more unusual were the arms apparently borne by Hibert of Languedoc, in the south of France, whose blazon seems to have been Sable, flaunched azure a pierced estoile argent surrounded by a double tressure vert.

There are two European examples of a tressure Gules; Morrhe in Zeland bears Argent, three cushions within a double tressure gules (a connection with the Scottish Murrays) and, of Hebbrecht, in Flanders, bears Or, on an escutcheon azure a tree proper, all within

² O. Neubecker, *Heraldry. Sources, Symbols and Meanings* (London, 1988), 176.

³ F. Godefroy, *Dictionnaire de L’Ancienne langue Francaise* (Paris, 1887–1902).

⁴ See cover illustration, T. Cairns, *Medieval Knights* (Cambridge, 1992).

a double tressure gules. Most unusual are the arms of Gif de la Chapelle, in 1270, of Argent, on a fess sable a tressure or.⁵

Whilst the tressure did appear in France, it was used mostly in Flanders. Of the eleven families there using the tressure in their arms, ten use a tressure vert. The earliest recorded use is on the seal of Rasse IV (died c.1166) seigneur de Gavre in Flanders, near Ghent, who bore Or, a double tressure vert. His nephew Arnold (1205–39) charged the arms with a chevron Gules overall and these arms continued to be used by his family and his descendants, the Escornaix; it appears on a canton in the arms of Schorisse of Brabant.⁶ Another variation of these arms, this time with a saltire Gules overall, was used by the families of Bouland-Gourdon and Fagnoculles in Hainault, and of Bossut in Liège, with Haneffe of the Pays de Liège adding it to a canton on their arms, whilst the Rumigney family charged the saltire with five cockerels argent. The family of Rocquenghein from Cambrai placed a cross Gules over the Rasse arms, whilst the family of de la Maotte placed a crescent azure within the tressure.

The Matthew Paris Roll, c.1244–54,⁷ shows that a large number of people in authority in Europe were using the lion rampant device by itself. Peter de Geneva bore Argent, a lion rampant sable, whilst Eble de Geneva bore the reverse; the count of Flanders bore Or, a lion rampant sable and, more important, William, count of Holland, bore Or, a lion rampant Gules. If the Scottish king was to use a lion rampant, like his continental counterparts, then the need for a distinctive difference was obvious. The kings of Scotland wanted full recognition in Europe as masters of an independent kingdom. Alexander II twice petitioned the pope for permission to have a coronation of the accepted European style.⁸ The kings of Scotland were enthroned and inaugurated, but were not permitted the full coronation ceremony that included anointing. Alexander made approaches to Pope Honorius III in 1221, but his request was refused as the pope preferred the representations of Henry III that Scotland

⁵ *Inventaire des sceaux Vaudois* (Lausanne, 1937).

⁶ *Ibid.*, 246.

⁷ *Roll of Arms of Henry III*, ed. T.D. Triller (London, 1967), 31.

⁸ A.A.M. Duncan, *Scotland: the Making of the Kingdom* (Edinburgh, 1975), 554.

was subject to the English king, and that anointing would be permissible only with Henry's consent. In 1233, another application was successfully opposed by the archbishop of York on behalf of Henry. The situation was exacerbated in 1247 when Håkon IV of Norway was crowned *and* anointed. The Norwegian petitions had succeeded and those of the Scots had failed because of bitter opposition in the Curia by the English.⁹

Some of the earliest evidence of the use of the double tressure in Scotland appears on the royal seal of Alexander III (b.1241 d.1286). For many years, it has been suggested that the fleur-de-lis could be found on the seal used by Alexander II (b.1200 d.1249), but close examination of the fine series of seals held in the Dean and Chapter Archives at Durham refutes this argument. On seals dating between 1225 and 1236, the king is shown on horseback with a shield, bearing a lion rampant, suspended from his shoulders. On the obverse, Alexander is shown sitting on a simple throne, holding a sword and orb.¹⁰

Alexander died on 8 July 1249. The changes to the design of the seal for the young Alexander III are startling. On 3 June 1250 he used a small seal showing crowned majesty with sceptre and (across his knees) sword, and on the reverse a shield of arms with lion rampant within a double tressure. The great seal in the Durham archives shows on the obverse the king sitting on a very ornate throne with finials headed by fleurs-de-lis. He is wearing a lily crown and holding a sceptre headed with a fleur-de-lis. On the reverse he is shown riding a horse covered in an ornate caparison that clearly shows the lion rampant surrounded by a tressure.¹¹ Is the idea being put forward that a man became king only when given possession of the symbols of kingship, and so the fleur-de-lis and tressure symbolise kingship? By using these symbols Alexander III was going as far as he dared towards the notion of coronation and anointing for which his father Alexander II had asked. On 6 April 1251, Innocent IV denied the English petition, claiming Henry III's liege sovereignty over Scottish kings, and the right to veto their coronations.¹² This

⁹ *Ibid.*, 525.

¹⁰ W. de Gray Birch, *Scottish Heraldic Seals* (London, 1905), 24–6, 111.

¹¹ *Ibid.*, 26–9, 119.

¹² Duncan, *Making of the Kingdom*, 559.

refusal to renew the veto granted by Honorius III in 1221 makes it clear that the Scots had been actively pressing the matter at the papal court in Lyons.

The seal evidence appears to settle the question of when the double tressure first appeared; some time between 1236 and 1250. Yet the young king was only eight years old in 1250; the first surviving charter of his reign dates to 3 June 1250. Who, then, would have dared to have made such a significant change to the royal arms? Would his mother or his guardians have taken such a provocative step? Did they want to emphasise his position as an independent king in his own kingdom, owing allegiance to none? One other source of evidence, the Matthew Paris Roll, dated c.1244–54, offers the fascinating answer. The first illustration of the Scottish royal arms to include the double tressure appears, in fact, in the reign of Alexander II, not of his son.

The question then arises as to why, so late in his reign, Alexander II made this alteration. The answer appears to be twofold. Although there is no seal evidence to prove it, William ‘the Lion’ who reigned from 1165 to 1214, introduced the red lion rampant on a gold shield as his royal arms. Hereditary arms, at least in northern France, Flanders and what is now western Germany, were in common use for at least the latter half of William’s reign. It is a fact that King William was, in all respects, a recognised western monarch. He travelled widely and communicated extensively with his royal cousins, and could well be expected to be perfectly aware of any burgeoning fashions such as the use of armorial bearings.¹³ William, count of Holland, who claimed the title of Holy Roman emperor in 1247 and died in 1256, was using the same arms as William the Lion.¹⁴ At that time, the pressure would then have been on the king of Scots to obey heraldic law, and place some mark of difference on his arms, as no two people can bear the same arms. If this supposition is correct, then the Matthew Paris Roll must post-date 1247, not 1244 as suggested.

In June 1221, Alexander II married Joan, the eldest sister of Henry III, and daughter of King John of England and Isabella of Angoulême.

¹³ C.D. Green, ‘The Lion of Scotland’, in *Emblems of Scotland* (Heraldry Society of Scotland, 1997), 8–9.

¹⁴ Triller, *Roll of Arms*, 36.

Joan died suddenly in March 1239 at Havering-atte-Bower, Essex, during a visit to the shrine of St. Thomas at Canterbury,¹⁵ leaving Alexander childless. He had long given up hope of her bearing him an heir and had possibly nominated Robert Bruce, lord of Annandale, as his heir presumptive. The situation changed dramatically when Alexander married Marie de Coucy from Flanders on 15 May 1239, and she gave birth to a son on 4 September 1241. Alexander was 42 years old. Finally he had an heir. What could be better in heraldic terms that boast of the continuation of his succession, adding an element to his arms that reflected his wife's country, his own kingship and differentiating the Scottish lion from all others in Europe?

Marie de Coucy came from a small town in Vermandois, thirty miles from the French border with Flanders in an area with the heaviest concentration of arms using the tressure. She was the daughter of Enguerrand III, lord of Coucy and Mary, daughter of John, lord of Monthirec-en-Brie. Neither the Coucy nor Monthirec arms contained a tressure or fleur-de-lis.¹⁶ In the autumn of 1250, she left Scotland for France with a very large pension, variously reported as between 4000 and 7000 merks, and did not return to Scotland until 1257 when she married John de Brienne, son of the king of Jerusalem.¹⁷ Alexander III was eight when he succeeded to the throne, and was influenced by Henry III who knighted him on Christmas Day 1251 at York. The next day he married Henry's daughter, Margaret, in York Minster. Henry supported Walter Comyn, earl of Menteith, against Alan Durward, justiciar of Scotia, who had been acting as regent. At Menteith's instigation, Durward was stripped of office by Henry, who appointed Menteith in his place. Henry clearly exercised considerable influence over Scottish government at this time and, under this amount of control, it is highly unlikely that Alexander—who was in any case a child—would have attempted to initiate a display of heraldry aimed at claiming an independent kingdom. It seems, therefore, that the double tressure appeared in the royal arms in Alexander II's reign, shortly after the birth of Alexander III in 1242.

¹⁵ Duncan, *Making of the Kingdom*, 534.

¹⁶ P. Adam-Even and Jéquier, *L'Armorial Wijnbergen*, no. 8 (Arcives heraldique Suisse, Lausanne, 1954), 24, 35, 57–9.

¹⁷ A. Weir, *Britain's Royal Families* (London, 1996), 199.

The double tressure soon became identified with the king of Scots and was used by the immediate family to indicate links with the sovereign. The *Armorial de Gelre* illustrates a number of examples. John Stewart, earl of Carrick and later king as Robert III, bore, in 1369, Argent, a fess chequy azure and argent overall a lion rampant within a double tressure gules. Alexander Stewart, earl of Buchan, the fourth surviving son of Robert II, bore Or, a lion rampant within a double tressure gules, overall a fess chequy argent and azure. The tressure was eventually also added to arms of those holding high office. John MacDonald, earl of Ross and lord of the Isles c.1450, bore, Or, three lions rampant within a double tressure gules; whilst Sir Andrew Murray of Bothwell, guardian in 1332, bore Azure, three estoiles argent within a double tressure Or. Thomas Charteris, chancellor of Scotland 1288–90, bore, Argent, a fess azure within a double tressure gules.

Whilst the double tressure became clearly identified with the crown, other Scottish families used it to mark family origins from Flanders. The Setons bore Or, three crescents within a double tressure gules; whilst Fleming of Biggar bore Gules, a double tressure overall a chevron argent, and the Livingstones bore Argent, three cinquefoils gules within a double tressure either azure or vert.

The use of the double tressure was jealously guarded by the monarch, and only occasionally granted to a commoner. In 1529 the king granted the addition of the double tressure in the arms of Nicholas Canivet, secretary to John, duke of Albany. The grant gives permission for the new arms to be used in ‘tournaments, wars and duels; on shields, flags, tents, mausoleums, burial places, seals, monuments, rings and buildings’, with a fine of £1,000 for anyone who infringed their use.¹⁸

Occasionally, the double tressure also appears on the arms of some burghs. The City of Aberdeen, Gules, three towers triple towered within a double tressure argent, was granted in 1674. The tressure is traditionally thought to have been granted by Robert I in 1308 in recognition of the services given by the burgesses in expelling the English from the burgh, but it is perhaps more probable that it was awarded because the burgh’s merchants underwrote the expenses of

¹⁸ *RMS*, iii, 188.

James I during his captivity in England from 1406 to 1424.¹⁹ Perth's use of the double tressure might be ascribed to its role as one of the chief seats of royal government and the location of one of the main royal residences in Scotland before 1437.²⁰

It is interesting to note when the double tressure also appears on arms in England, for a Scottish connection underlies each occurrence. In the arms of the Metropolitan Police, a double tressure surrounds the Tudor portcullis of Westminster. This is a reference to the original headquarters of 1829, a large house with a Police Office at the rear. This had opened on to an area that in earlier times had been called 'Scotland Yard' (it was said that visiting Scottish kings were supposed to have stayed in the building there).²¹ Cambridge County Council, set up in 1888, includes a double tressure in their arms because in the twelfth century the earldom of Cambridge united with that of Huntingdon and was held successively by David I, his son, grandson and great grandson.²² The Worshipful Company of Musicians had arms granted in 1604 Azure, a swan with wings expanded argent within a double tressure or, on a chief gules a pale between two lions passant guardant or, thereon a rose gules barbed and seeded vert. James VI and I, who acceded to the throne of England in 1603, gave the guild its first charter.²³

Perhaps the most curious phase in the life of the double tressure as a symbol of Scottish royalty occurred in 1471 when an act was passed: 'The king with the advice of the three Estates, ordained that in time to come there should be no double tressure about his arms', but that the act was passed whereby a portion of the double tressure which occurs above the lion rampant was omitted, leaving the double tressure to surround the lion on two sides only. Charles Burnett has ably described this act, and examples of the royal arms resulting from it.²⁴ Since James III was planning shortly to visit France, it has been suggested that, if France introduced the double

¹⁹ R.M. Urquhart, *Scottish Burgh and County Heraldry* (London, 1973), 49.

²⁰ *Ibid.*, 109.

²¹ I am indebted to L. Hodgson for this information.

²² C.W. Scott-Giles, *Civic Heraldry of England and Wales* (London, 1953), 64.

²³ J. Bromley and H. Child, *The Armorial Bearings of the Guilds of London* (London, 1960), 178–80.

²⁴ C. Burnett, 'The Act of 1471 and its effect on the Royal Arms of Scotland', *PSAS*, 105 (1972–4), 312–314.

tressure into the royal arms as a sign of protection, then it would be appropriate for it to be removed for the visit. This now seems most unlikely. To date, the most probable reason put forward is that James III had just introduced the thistle as the royal emblem and had an idea that it would replace the double tressure. One of the earliest examples of the use of the thistle in conjunction with the royal arms appears in a stone carved for the great wall of Paisley Abbey, which was built in 1484. In this depiction of the royal arms, not only are thistles shown beneath the shield, but also the top of the double tressure is missing. The only known representation of the royal arms without the tressure appears on the Bridge of Dee, which was carved as late as 1525.²⁵

The double tressure flory counter flory is now only granted, on very rare occasions, by the monarch. One example is the arms of the Society of Antiquaries of Scotland. Other tressures have been granted, particularly to the Gordon family. William Fergus Graham of Mossknows bore Azure, on a chevron three boars' heads couped or armed proper and langued gules, a fetterlock sable, all within a double tressure flory within, contra crescents without, or.²⁶ Gordon, earl of Aberdeen, bore Azure, three boars' heads couped within a double tressure flory counter flory with thistles, roses and fleurs-de-lis or; whilst Duff-Gordon bore Azure, three boars' heads couped within a double tressure flory counter flory of fleurs-de-lis and roses alternately or.

Today, most people will immediately identify the lion rampant with its double tressure as the royal arms of Scotland, making the tressure one of the most memorable symbols of Scottish royal heraldry.

²⁵ G.M. Fraser, *The Bridge of Dee* (Aberdeen, 1913), 109.

²⁶ R. Saunders, 'An Unusual Tressure', *Coat of Arms*, iii (1954–55), 13–14.

CANON LAW, CUSTOM AND LEGISLATION: LAW IN THE REIGN OF ALEXANDER II

Hector L. MacQueen*

The twelfth and thirteenth centuries were a crucially formative period in the development of law in western Europe.¹ The earlier century—characterised by one historian of law as a period of ‘extremely rapid, intense, and creative crisis’²—saw the recovery of the Digest of Justinian and the renewal of its study and use in teaching, first at the *studium generale* of Bologna in northern Italy, and subsequently elsewhere, at universities in the rest of Italy, southern France, Paris and Oxford. The work of the school known as the Glossators was to culminate in the thirteenth century with the *Summa Codicis* of Azo (d.1230) and the *Magna Glossa* of Accursius (d.1263), ‘a huge compilation of glosses or apparatus of glosses to the whole *Corpus Juris Civilis*’.³ Alongside the redevelopment of Roman or civil law marched the law of the Church, the canon law. Around 1140 the hitherto scattered canons of the Church began to be brought together by Gratian in what became the unofficial compilation entitled *Concordia discordantium canonum* but better known as the *Decretum*.⁴ This provided

* Professor of Private Law, University of Edinburgh. As always, I am very grateful to John Cairns and David Sellar for much helpful discussion and comment.

¹ See for general surveys e.g. F. Wieacker (trans T. Weir), *A History of Private Law in Europe* (Oxford, 1995), chs 2–4; O.F. Robinson, T.D. Fergus and W.M. Gordon, *Introduction to European Legal History*, 3rd edn (London, 2000) chs 2–4; R.C. van Caenegem, *An Historical Introduction to Private Law* (Cambridge, 1992) ch. 3; M. Bellomo (trans. L.G. Cochrane), *The Common Legal Past of Europe 1100–1800* (Washington DC, 1995), chs 3–7; S. Reynolds, *Kingdoms and Communities in Western Europe 900–1300*, 2nd edn (Oxford, 1997), chs 1 and 2; R.W. Southern, *Scholastic Humanism and the Unification of Europe: Volume I Foundations* (Oxford, 1995), chs 7–9.

² Bellomo, *Common Legal Past*, 33.

³ Robinson, Fergus and Gordon, *European Legal History*, 50. See further P. Stein, *Roman Law in European History* (Cambridge, 1999).

⁴ What we do not know about Gratian is well discussed in J.T. Noonan, “Gratian slept here: the changing identity of the father of the systematic study of canon law”, *Traditio*, xxxv (1979), 145–72. See further Southern, *Scholastic Humanism*, 283–310. A. Winroth, *The Making of Gratian’s Decretum* (Cambridge, 2000), argues persuasively that there were two recensions of the *Decretum*, written between 1139 and 1158, the first probably by Gratian, the second (the text we know now) possibly not.

the platform for a major expansion of the canon law and the juristic claims of the Church. In 1234 Pope Gregory IX promulgated an official restatement of the canon law compiled by Raymond de Peñafort (d.1240), and this came to be known as the *Liber Extra*. The scholarly techniques which had been applied to the texts of Roman law were equally brought to bear upon the *Corpus Juris Canonici*, which also became part of the legal curriculum in the universities. In the bull *super speculam* of 1219 Pope Honorius III abolished the teaching of the secular civil law at Paris, confining legal study there to the canon law. While this was to create a division between canon and civil law of some significance for the future development of legal studies, it nevertheless remained true that '*legista sine canonibus parum valet, canonista sine legibus nihil*' (a legist [i.e. civil lawyer] without the canons is worth very little, a canonist without the civil laws nothing).⁵ The point was underlined when in 1235 Pope Gregory IX authorised the teaching of civil law at Orleans to supplement that of canon law at Paris.

The rules of the canon law were developed and applied throughout Europe by a vast machinery of courts and bureaucrats, the authority of which flowed ultimately from the Pope in Rome. This authority was manifested at the local level not only by specially authorised papal representatives but also by structures established under the bishops of the dioceses into which the lands within the sway of the Church were divided. Further, from such local decision-making machinery appeal structures led all the way to Rome itself. Canon law laid claim, not just to the internal arrangements and governance of the Church, but also to a range of matters affecting the spiritual well-being of its flock. Through its courts the Church provided the means by which its jurisdictional claims could be made good. While the precise impact of this upon medieval society varied from place to place, there can be no doubt that the law of the Church did indeed form a universal element drawing together the legal culture of contemporary Europe.⁶

⁵ The maxim was derived from *Decretum Gratiani*, Causa 7, Dictum 10. See further F. Merzbacher, 'Die Parömie "legista sine canonibus parum valet, canonista sine legibus nihil"', *Studia Gratiana*, xiii (1967) 273–82. For the citation of classical canon law materials see J.A. Brundage, *Medieval Canon Law* (London, 1995), appendix 1.

⁶ See generally Brundage, *Medieval Canon Law*, passim; R.H. Helmholz, *The Spirit of the Classical Canon Law* (Athens, Ga., 1996); H.J. Berman, *Law and Revolution: the Formation of the Western Legal Tradition* (Harvard, 1983).

These developments of Roman and canon law would of course have their effects upon the laws and customs of the kingdom of the Scots, that 'special daughter' of the Church, especially, as we shall see, in the reign of Alexander II (1214–1249). But before we move into the details of those effects, it is necessary to provide some further context for the Scottish scene. This comes from the neighbouring kingdom of England, where the twelfth century saw the massive expansion, regularisation, systematisation, and elaboration of royal justice, in particular under King Henry II (1153–1189), to become the common law of England.⁷ In the process, non-royal secular justice was, if not destroyed, reduced to a very subsidiary role indeed. The scale of the English king's achievement was unique in Europe. Whether it was entirely the product of indigenous events, chance, or royal intent remains controversial, as does the debt which it owed to the growth of the learned laws just described.⁸ But there can be no doubt that by the time of Alexander II the English common law was a mature and articulate system. A structure of royal courts dealt constantly with the disputes of the king's subjects across a wide range of matters, deploying a bureaucratic system of writs by which issues for decision were formulated in set words the meaning and reach of which fell to be determined by the judges. But the facts of disputes were determined by the jury, a sworn body of neighbours who would best know the truth of the matter. The rules and principles of the common law had been stated before the end of the twelfth century in the work known as *Glanvill*, and they were made to apply to the king himself by Magna Carta in 1215. *Glanvill* showed some influence from the learned laws, and some time during the first half of the thirteenth century a sustained effort was made to give an account of English law which would have aligned it much more clearly with Roman and canon law. But in a development of immense importance in the legal history of western Europe, the mighty work known

⁷ For a fine introductory account see J. Hudson, *The Formation of the English Common Law: Law and Society in England from the Norman Conquest to Magna Carta* (London, 1996).

⁸ The controversy was stimulated by S.F.C. Milsom, *The Legal Framework of English Feudalism* (Cambridge, 1976). For an analysis of the debate provoked by this book see H.L. MacQueen, *Common Law and Feudal Society in Medieval Scotland* (Edinburgh, 1993; henceforth MacQueen, *CLFS*), ch. 1; the major contributions since the composition of that analysis are J.G.H. Hudson, *Land, Law and Lordship in Anglo-Norman England* (Oxford, 1994) and P.A. Brand, *The Making of the Common Law* (London and Rio Grande, 1992), 203–25.

to us as *Bracton* had no enduring effect on English law, which instead developed within an essentially insular tradition and which came robustly to reject any influence from the Continent.⁹ Indeed this attitude may be detected in incipient form as early as 1236 when the barons of England declared at Merton that they did not wish to change their laws to bring them into line with the new canonical doctrine of legitimation of children by marriage of their parents subsequent to birth.¹⁰ While of course the canon law applied as much in England as anywhere else, the inheritance of land was essentially a matter for secular law, and the legitimacy of offspring in the eyes of the Church was not to affect the decision as to who was the heir for the purposes of the common law.

When Alexander II became king of Scots in 1214, his kingdom had likewise already known a century of development and modernisation in the royal administration of law and justice.¹¹ This went alongside the processes which saw the introduction and steady expansion of tenurial structures of land-holding and the privileged trading centres known as burghs, as well as the reform of the church and substantial monastic endowment. All these had involved the establishment and settlement within Scotland of foreign, in particular Anglo-French, influences, and it seems certain that one reason for the visible growth of royal justice in the period was the protection of those outsiders whose investment and skills had been attracted to the kingdom. But it would be wrong to see this as indicative of a hostility or disjunction between the new and the old in the Scottish polity. It is one of the key facts of this period that the 'Anglo-Norman era in Scottish history' saw rather acculturation and assimilation of the diverse elements at work in the kingdom. In particular this was true of the development of the law and custom which by the reign of Alexander's son would be known as the common law of Scotland.¹²

⁹ See G.E. Woodbine and S.E. Thorne, *Bracton's De Legibus et Consuetudinibus Angliae* (4 vols, Cambridge, Mass., 1968–77). The most recent analysis is J.L. Barton, 'The mystery of Bracton', *Journal of Legal History*, xiv (1993).

¹⁰ *English Historical Documents*, iii, no. 30 (c.9).

¹¹ For what follows in the next six paragraphs, see generally MacQueen, *CLFS*, 33–50.

¹² On 'common law' see W.D.H. Sellar, 'The common law of Scotland and the common law of England', in R.R. Davies (ed.), *The British Isles 1100–1500* (Edinburgh, 1988); idem, 'The resilience of the Scottish common law', in R. Zimmermann and D.L. Carey Miller (eds), *The Civilian Tradition and Scots Law* (Berlin, 1997); MacQueen, *CLFS*, 2–3.

Our picture of law, justice and dispute settlement in the twelfth century is however very patchy. Alongside the king's own personal role, which is well attested, there was the creation of the office of justice or justiciar, the vice-regal powers of which must have included holding courts in the king's name and dispensing that which his title would suggest. Long before the end of the century, there were normally two justiciars at a time, one operating in Lothian, the other in, and occasionally styled of, Scotia (Scotland north of Forth); after 1185 there may also have been a justiciar of Galloway for at least a short period.¹³ It is less clear that the sheriff, another royal officer who makes his first appearance early in the twelfth century, held courts in the localities, or that there were independent courts in the burghs; but since sheriff and burgh courts were clearly in regular operation throughout the thirteenth century, a reasonable inference would be that they had at least embryonic form before the end of the twelfth. It is probable that sheriffs and sheriffdoms were to be found throughout eastern Scotland from Berwick to Inverness before 1200, and that the office was the lynchpin of local royal government in those territories.¹⁴

Officers apart, however, twelfth-century royal justice does not appear highly systematic or regularised, especially in comparison with contemporary developments in England. It remained a matter of the king's *ad hoc* personal intervention, or a favour granted to particular claimants, perhaps in the king's own court (*curia regis*), rather than a matter of right or course for the king's subjects.¹⁵ Certain general ideas do emerge from the sources: for example, that the king would intervene if there was a breach of his peace and protection, or if there was a default of justice (*defectus justitiae*) by some other person. Under these concepts there seem to have developed procedures for the recovery of debts and fugitive serfs (*nativi*).¹⁶ Perhaps most significant for the future was the possibility of the king issuing an order to somebody of whom another had made complaint, 'to do right so that there shall be no complaint for default of justice'.¹⁷ There is

¹³ Barrow, *Kingdom*, 101–9.

¹⁴ The introduction and appendices to *Fife Ct Bk*, written by W.C. Dickinson, remain the indispensable starting point on the medieval sheriff.

¹⁵ See MacQueen, *CLFS*, 42–3, 47–8.

¹⁶ A. Harding, 'The medieval brieves of protection and the development of the common law', *Jur Rev*, xi (1966).

¹⁷ MacQueen, *CLFS*, 194–5.

also evidence that kings legislated, no doubt with the advice and assistance of their counsellors, and that the resultant 'assizes' or 'statutes' were intended to and did have a general effect which might extend beyond the reigns in which they were created, even though that might need reinforcement by subsequent re-enactment.¹⁸ Finally, the degree of system apparent in the basic regularity and standardisation of royal and other grants of land suggests that there were at least fairly general 'norms' affecting land-holding in regard to such matters as tenure (holding land of a superior lord), categories of service rendered for such holdings (knight service, free alms and bur-gage), and inheritance (male primogeniture, with succession opening to females in the absence of a son).¹⁹

Perhaps the king's primary responsibility was the preservation and, where necessary, the restoration of peace in his realm. By the middle of the twelfth century there had emerged a concept of the 'pleas of the crown', including the especially horrendous crimes which it was the king's right and duty to punish.²⁰ This must be seen at least partly against the background of an 'honour' society in which a person wronged (or his kin, if the wrong was homicide) was obliged to seek vengeance or lose face altogether. But honour might be restored by the provision of appropriate compensation by the wrongdoer to the victim and his kin.²¹ There are signs, however, that the king, perhaps encouraged by the Church, was setting his sights against at least some aspects of both the vengeance and the compensation aspects of the honour code, as involving either an inevitable spiral of violence or the condonation of mortal sin. Thus in 1197 the magnates and prelates swore to assist King William to take *vindicta* of

¹⁸ *Ibid.*, 86–8.

¹⁹ G.W.S. Barrow, 'The Scots charter', in H. Mayr-Harting and R.I. Moore (eds), *Studies in Medieval History presented to R.H.C. Davis* (London, 1985); P.R. Hyams, 'The charter as a source for the early common law', *Journal of Legal History*, xii (1991), 179–80; MacQueen, *CLFS*, 248–9. I resist here the temptation to embark upon the debate stimulated by S. Reynolds, *Fiefs and Vassals: the medieval evidence reinterpreted* (Oxford, 1994), but would observe that her conclusions deserve to be tested against the Scottish material.

²⁰ *RRS*, ii, no 80; *APS*, i, 374–5 (c.12). The list included *murdrum* (secret killing), premeditated assault, rape, arson and robbery.

²¹ The classic study remains J.M. Wormald, 'Bloodfeud, kindred and government in early modern Scotland', *Past and Present*, no. 87 (1980), especially at 57–66. See also H.L. MacQueen, 'Scots law under Alexander III', in N.H. Reid (ed.), *Scotland in the Reign of Alexander III 1249–1286* (Edinburgh, 1990), 90–2.

(i.e. punish) wrongdoers, and not themselves to take *pecunia* from them so that justice was not done.²² Another institution for the preservation of peace in which king and Church seem to have joined forces was ecclesiastical sanctuary, within which one accused of wrongdoing could take at least temporary shelter from his victim and their kin. Twelfth-century grants show that in at least some of these—for example, the Stow of Wedale, Tynninghame and perhaps Innerleithen and Torphichen—the peace of the Church was given additional support and a wider territorial scope by that of the king, and it seems clear that this was intended to prevent feuds from escalating in further violence and bloodshed.²³

But there was no sense in which even an ambitious and assertive royal government sought a monopoly in the dispensation of justice or the declaration of law. The survival in the thirteenth and later centuries of local customary laws and offices such as the laws of Galloway, the law of Clan Macduff, the *toiseachdeor* and others is enough to show that royal justice in the twelfth century must be set against a backcloth of diversity and variety even before we begin to take into account the fast-maturing legal system of the church.²⁴ Royal grants to both secular and ecclesiastical landholders of the right to hold courts confirm the absence of a desire to claim exclusivity for the king and his officers in the administration of law, although they do suggest the currency of the idea of the king as the fount of justice in his realm, especially when his right to correct failures of justice in the grantee's court is asserted alongside the grant of jurisdiction.²⁵

Twelfth-century grants of courts frequently refer to the beneficiary's right to hold duels and ordeals in them as the means of determining where right lies in disputes coming before them.²⁶ Probably such

²² *APS*, i, 377, c.20. This assize appears to be modelled upon the *edictum regium* of Hubert Walter in England in 1195 (as to which see Hudson, *English Common Law*, 138); Barrow, *Kingdom*, 111; A.A.M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1975), 201–3.

²³ See H.L. MacQueen, 'Girth: the law of sanctuary and society in Scotland', in J.W. Cairns and O.F. Robinson (eds), *Critical Studies in Ancient Law, Comparative Law and Legal History: Essays in honour of Alan Watson* (Oxford, 2001).

²⁴ See W.D.H. Sellar, 'Celtic law and Scots law: survival and integration', *Scottish Studies*, xxix (1989); H.L. MacQueen, 'The laws of Galloway: a preliminary survey', in R.D. Oram and G.P. Stell (eds), *Galloway: Land and Lordship* (Edinburgh, 1991).

²⁵ MacQueen, *CLFS*, 35–7, 42.

²⁶ *Ibid.*, 38.

modes of proof were exceptional, for use only in cases where no other evidence or means of resolving the dispute was available.²⁷ There are examples of decisions based upon the testimony of local people or the assertions of older persons present as to the custom in the matter, and by the end of the twelfth century juries were in occasional use at least in the king's own court.²⁸ But nonetheless the existence and use of the *judicium Dei* demonstrate the need to avoid anachronism in talking about courts and their functions in this period. Courts were essentially gatherings of people presided over by an officer or lord who should not in any meaningful sense be compared with a modern judge. Rather than adjudication, the aim of the court seems more often to be the resolution of the dispute by negotiation and the exertion of pressure on the contending parties to settle the matter. As Anglo-French influence came to be felt in the course of the century, the gatherings that made up the court were increasingly formalised in terms of 'suit of court', a duty to attend and give judgement at the lord's court which was incumbent upon his tenants and sprang from their tenurial relationship with him.²⁹ But equally older influences survived in the frequent presence in courts of the *brithemah*, Latinised as *judex*, a representative of the Gaelic element in Scottish society, and the repository of the customs by which the court might be guided in its procedures and decision-making.³⁰ The active role assumed by this officer in royal and other courts well into the thirteenth century suggests a significant role in the blending of the older customs into the newer rules which ensured that in Scotland there was nothing to parallel the cleavage of native and Anglo-French laws characteristic of later medieval Ireland and Wales.³¹

We may complete this sketch of the structures of law and justice in the twelfth century with some observations about the position in the Scottish Church.³² Diocesan and parochial structures were firmly

²⁷ R. Bartlett, *Trial by Fire and Water: the medieval judicial ordeal* (Oxford, 1986), 26–33, 106–9, 114–6.

²⁸ MacQueen, *CLFS*, 48. Note also the deferral to the decision of the oldest *judex* in the case of the dispute between the *céildé* of Loch Leven and Sir Robert the Burgundian c.1128 (*ESC*, no. 80).

²⁹ MacQueen, *CLFS*, 37.

³⁰ Barrow, *Kingdom*, 69–82.

³¹ J. Bannerman, 'The Scots language and the kin-based society', in D.S. Thomson (ed.), *Gaelic and Scots in Harmony: Proceedings of the Second International Conference on the Languages of Scotland* (Glasgow, 1990); MacQueen, 'Alexander III', 93–4.

³² See generally G. Donaldson, *Scottish Church History* (Edinburgh, 1985), 40–5;

established in the course of the period.³³ A further important development in the last quarter of the twelfth century was the establishment of the independence of the *ecclesia Scoticana* (Whithorn or Galloway always excepted) from the sway of York or Canterbury. A series of Papal bulls, culminating probably around 1192 in *Cum universi*,³⁴ declared that not only was Scotland a special daughter of the Papacy, but also that disputes about the possessions of the Scottish church should be determined within the kingdom by Scots or papal appointees, unless an appeal had been made to the papal courts in Rome.³⁵

There is evidence that pre-Gratian canon law materials were known in Scotland,³⁶ and there cannot be much doubt that the *Decretum* was also in circulation there. Before the end of the twelfth century there were diocesan functionaries in Aberdeen, Glasgow and St Andrews known as 'officials', whose task was to administer the canon law in consistory courts held under episcopal authority.³⁷ Indeed, almost all the officials of whom we have knowledge before 1214 were university men, most probably in decrees.³⁸ Papal judges-delegate had also begun to become familiar figures by 1200, and their use in Scotland was to become commonplace from the pontificate of Innocent III

S.D. Ollivant, *The Court of the Official in Pre-Reformation Scotland* (Edinburgh, 1982), especially at 22–7; P.C. Ferguson, *Medieval Papal Representatives in Scotland 1125–1286* (Edinburgh, 1998).

³³ Donaldson, *Scottish Church History*, 11–24; I.B. Cowan, *The Parishes of Medieval Scotland* (Edinburgh, 1967).

³⁴ See most recently A.D.M. Barrell, 'The background to *Cum universi*: Scoto-papal relations, 1159–1192', *Innes Review*, xlv (1995).

³⁵ For comment, see H.L. MacQueen, 'Regiam Majestatem, Scots law and national identity', *SHR*, lxxiv (1995), 9.

³⁶ See ESC no. 263 (a grant of the old priory of Loch Leven by Bishop Robert of St. Andrews to the priory of St. Andrews 1152 × 1153 'et cum his libris, id est . . . exceptiones ecclesiasticarum regularum'); D. Baird Smith, 'Canon law', in H. McKechnie (ed.), *The Sources and Literature of Scots Law*, (Edinburgh, 1936), at 187 observes that this book 'may have been the *Decretum* or *Panormia* of Saint Ivo of Chartres'. For Ivo see Southern, *Scholastic Humanism*, 252–61.

³⁷ Watt, *Fasti*, 23, 187, 323.

³⁸ For Matthew and Walter, officials of Aberdeen, see Watt, *Fasti*, 23, and Watt, *Biographical Dictionary*, 1, 563; for William, official of Brechin, see Watt, *Fasti*, 56, and Watt, *Biographical Dictionary*, 582; for Matthew official of Dunkeld (possibly the same man as Matthew official of Aberdeen, above), see Watt, *Fasti*, 124, and Watt, *Biographical Dictionary*, 1, 489; for John de Huntingdon, official of Glasgow, see Watt, *Fasti*, 187, and Watt, *Biographical Dictionary*, 273 (but note that John's predecessor, Richard de Hassendean, does not appear in the latter work); and for Ranulf de Wat and Laurence de Thornton, officials of St. Andrews, see Watt, *Fasti*, 323, and Watt, *Biographical Dictionary*, 531, 576–7.

(1198–1216).³⁹ All this meant that men with knowledge and experience of the learned laws were at work as judges, pleaders and ecclesiastical administrators in Scotland by this time: an outstanding example is William Malveisin, described by a contemporary as *utriusque jurisperitus*, that is, learned in both the canon and the civil laws, bishop first of Glasgow in 1199 and then of St Andrews from 1202 until his death in 1238.⁴⁰ Malveisin's career in Scotland was to last some fifty years, with much of that time spent in the service, first of King William, and then, as we shall see further below, of King Alexander II. He also acted as a judge-delegate on at least three occasions.⁴¹ Another clerk learned in the laws whose career was to straddle the two reigns was Master Peter of Paxton (d.c.1230), who served in the household of King William's brother, Earl David of Huntingdon, from the 1180s, and who on 12 November 1219 pledged his copies of the *Digestum Novum*, *Codex*, *Infortiatum* and *Institutes*—that is, most of the core texts of Roman law—to the abbot and convent of Holyrood in security of a loan.⁴² But Master Peter's career was spent more in England than in Scotland, his Paxton being in the earldom of Huntingdon rather than the estate in Berwickshire.

The Church could also bring effective pressure to bear on the secular law and customs. The important concept of 'default of justice' which underpinned at least some royal intervention in other courts had roots in pre-Gratian canon law.⁴³ Influence could be exercised through the activity of ecclesiastics in government: William Malveisin was the king's chancellor as well as bishop of Glasgow from 1199 to 1202, for example. Equally it might come directly from the Papacy itself. As early as 1110 × 1113 Pope Paschal II was writ-

³⁹ Ferguson, *Medieval Papal Representatives*, 120–2.

⁴⁰ For his career, which was to extend into the reign of Alexander II until his death in 1238, see Watt, *Dictionary*, 374–9. See also D.D.R. Owen, *William the Lion: Kingship and Culture 1143–1214* (East Linton, 1997), in which it is suggested that Malveisin was the Guillaume le Clerc who composed the *Roman de Fergus*. W.W. Scott suggests that he may have been the author of the Scottish annals based on the *Melrose Chronicle: Chron. Bower*, ix, 251–259. See also A.A.M. Duncan, 'Roger of Howden and Scotland, 1187–1201', in B.E. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland* (Edinburgh, 1999), 145–51.

⁴¹ Ferguson, *Medieval Papal Representatives*, 128.

⁴² *Registrum Antiquissimum of the Cathedral Church of Lincoln*, ed. C.W. Foster and K. Major, 12 vols (Lincoln Record Society, 1931–73), iii, no. 821 (facsimile also on facing page); Stringer, *Earl David*, 152.

⁴³ Helmholz, *Classical Canon Law*, 119–20, 132–4.

ing to Turgot the bishop of St Andrews urging him to ensure that the laity in Scotland conformed to the canonical norms of marriage.⁴⁴ In 1200 Pope Innocent III instructed King William about the right of sanctuary afforded to those who, having committed offences, fled to churches 'that, through reverence for the sacred place, they may escape the penalty they have incurred'.⁴⁵ Drawing on 'the prescriptions of the sacred canons and the teaching of the civil laws', Innocent laid down a series of propositions distinguishing between the position of free men and serfs, and concluded:

Do you therefore, very dear son, see to it that when in the kingdom any such case occurs you proceed according to the distinction hereinbefore drawn, that the honour and immunity of churches may be preserved intact and the occasion of evil speaking be taken away from men of a perverse disposition.

Around the same time John de Belmeis, the former archbishop of Lyons, wrote to Malveisin as bishop of Glasgow to condemn the involvement of the clergy in judicial duels or ordeals.⁴⁶ It thus seems clear that the Church sought to exercise as much of a voice in the development of secular law and custom as it had in relation to its own.

One of the issues which provoked Papal letters to the king of Scots was competition between ecclesiastical and secular jurisdiction. Early in the thirteenth century Pope Innocent III sternly rebuked King William for allowing to be decided in the king's court a case about the right of patronage in the church of Leuchars, disputed by St Andrews cathedral priory and Saer de Quinci, lord of Leuchars.⁴⁷ The papal disapproval does not seem to have prevented the successful assertion of secular jurisdiction in the case any more than it did shortly afterwards in the celebrated litigation between Melrose abbey and the earl of Dunbar over the lands of Sorrowlessfield near Earlston. Here the earl persistently refused to answer before judges-delegate the monks' complaint of his violent occupation of the lands,

⁴⁴ R. Somerville (ed.), *Scotia Pontificia: Papal Letters to Scotland before the Pontificate of Innocent III* (Oxford, 1982), no. 2. See further Duncan, *Scotland*, 130; W.D.H. Sellar, 'Marriage, divorce and concubinage in Gaelic Scotland', *Transactions of the Gaelic Society of Inverness*, li (1980), 474–5.

⁴⁵ D. Patrick (ed.), *Statutes of the Scottish Church 1225–1559* (Edinburgh, 1907), 205 (from the *Decretals*, book 3 title 49 c.6).

⁴⁶ *Ibid.*, 292. See further Duncan, 'Roger of Howden', 146–8.

⁴⁷ T.M. Cooper, *Select Scottish Cases of the Thirteenth Century* (Edinburgh, 1944), 7–8; Barrow, *Kingdom*, 90; Ferguson, *Medieval Papal Representatives*, 181.

pleading that as the case concerned a lay tenement it ought to be heard before a secular court. The case was finally settled in King William's full court at Selkirk.⁴⁸ In both disputes the ecclesiastical argument was that when cases concerned land granted in alms, both the custom of the realm and the custom of the Scottish church gave jurisdiction to the Church courts; but the evidence of these two cases is that this claim could easily be countered with one that the lands were lay and that there was no standard procedure available comparable to the English assize *Utrum* of 1164, under which it could be determined whether land was a lay fee or held in alms.⁴⁹

With all this material in mind, let us now turn to events in the reign of Alexander II. The first point to make is the continuing personal involvement of the king himself in matters of law and the dispensation of justice.⁵⁰ One near-contemporary chronicler observed that he was a 'lover of strict law'.⁵¹ An illustration of this may be the controversy mooted in the king's court between Helen de Burneville and Henry of Stirling concerning the former's claim to a third (terce) of the lands which at the time of her husband's death had been held by her now deceased mother-in-law as '*dotalicium*'. The king is recorded as wishing to have a certain rule on this matter and to have declared for law that a widow was entitled to terce not only from the lands which her husband had held at the day of his death but also from those falling to his estate *post mortem*.⁵² There are other examples of the king confirming the settlement of disputes in the *curia regis*, including a remarkable one where the authority of his court seems to have been interponed in confirmation of an amica-

⁴⁸ Cooper, *Cases*, 9–11. See further on this case MacQueen, *CLFS*, 108, and Ferguson, *Medieval Papal Representatives*, 138–40.

⁴⁹ On the assize *Utrum*, see Hudson, *English Common Law*, 129.

⁵⁰ Note here the somewhat stereotypical comments of the later medieval chronicler Andrew Wyntoun: 'This Alexander kynge of Scotlande / Was throw his lande trawalande / Haldande cowrttyis and iustrys / And chastyt in it al reweris' (*Chron Wyntoun* (Amours), v, 82, 83). Walter Bower also presents a conventional picture of the king: 'supporter of orphans, protector of pupils [in the technical legal sense of boys under 14 and girls under 12], hearing the complaints of widows and the poor in person' (*Chron Bower*, v, 192). For the king's special obligations to protect orphans, pupils, widows and the poor, see MacQueen, *CLFS*, 220–1. The Roman and canon law roots of this, linked to jurisdiction *ex defectu justitiae*, are discussed in Helmholz, *Classical Canon Law*, 116–44.

⁵¹ Anderson, *Early Sources*, ii, 559. Cf *Chron Bower*, v, 190, where the king is pictured as a 'lover of equity and justice'. On the contemporary concepts of 'equity' and 'strict law' see Bellomo, *Common Legal Past*, 161.

⁵² *APS*, i, 401 (c.10).

ble composition reached by Newbattle and Holyrood abbeys before papal judges-delegate.⁵³ Again, on 8 April 1235 the king and his barons were *ad colloquium* at Kirkliston when an amicable composition involving the correct interpretation of charters was reached there between Melrose abbey and Roger Avenel as to the latter's hunting rights in the monks' lands in Eskdale.⁵⁴

But an important development for which there seems to have been little precedent before Alexander's time was the description of a court as *curia regis* even though the king himself does not seem to have been present, and in which instead royal officers such as the justiciar, sheriff, and chamberlain presided.⁵⁵ We have here an indication of the increasing regularisation of royal justice. There is also a greater sense of organisation in the justiciary arrangements: the justiciar of Lothian makes a first appearance under that style in 1219, and that title and that of the justiciar of Scotia appear regularly in documents from then on.⁵⁶ This may have been due to the establishment of a clerk of justiciary, at least for Lothian, probably no later than the 1220s,⁵⁷ which in turn may have helped to formalise the keeping of records of the justiciars' activities.⁵⁸ The first known clerk of justiciary, Master David, probably of Braid, was a university man.⁵⁹ The sheriff and burgh courts also come into much clearer focus in Alexander's reign, and the sheriffdom system, well established in the eastern half of the country as noted earlier, was extended into the Gaelic west at Dumbarton and into Galloway following the partition of the lordship there after the death of Alan of Galloway in 1234.⁶⁰ But there does not seem to have been a justiciar of Galloway during the reign. A statute of 1245 laid down certain procedures to be followed in criminal matters by the justiciar of Lothian, 'except in Galloway, which has its own special laws'.⁶¹ The implication seems to be that Galloway would otherwise have fallen within the jurisdiction of Lothian for justiciary purposes.

⁵³ *Ibid.*, 405–6, cc. 2, 3; Cooper, *Cases*, 25–6.

⁵⁴ *APS*, i, 408 (c.7).

⁵⁵ MacQueen, *CLFS*, 48–9.

⁵⁶ Barrow, *Kingdom*, 104–6.

⁵⁷ Barrow, *Kingdom*, 129–30.

⁵⁸ *Arbroath Liber*, i, nos 227, 230 and 294; Barrow, *Kingdom*, 99, 117.

⁵⁹ Watt, *Biographical Dictionary*, 61.

⁶⁰ See further below, 234.

⁶¹ *APS*, i, 403 (c.14).

The recognition here of Galloway's 'special laws'⁶² confirms that the steady regularisation of royal justice did not necessarily entail the destruction of the local customs prevailing in the various parts of the kingdom. The reference is to the customary system for the preservation of the peace and the arrest of wrongdoers by sergeants acting under local lords, and is probably to be linked to a kin-based system of compensation payments by which amends were made for wrongdoing.⁶³ A similar system prevailed in Carrick and Lennox, where in the 1220s the earls declared that the clergy of the earldoms should not be liable to give hospitality to their sergeants (also known as *kethres*, according to the source).⁶⁴ But Galloway was also the scene of suppression of local custom. The partition of the lordship in 1234, which has already been mentioned, was the outcome of an imposition of the Anglo-French rules of succession under which daughters could inherit in the absence of legitimate sons, with division taking place amongst them if there was more than one. But Alan lord of Galloway did leave a son, Thomas, who was illegitimate in the eyes of the canon law and therefore ineligible to inherit under the general law, but whose claim to become his father's successor in the lordship was recognised by the chiefs and men of the clans of Galloway. Their rising in support of Thomas' claim was swiftly crushed in 1235, but the issue, like the long-lived Thomas himself, had still sufficient vigour towards the end of the thirteenth century to be a matter of concern to King Alexander III on the day before his death in 1286, as well as subsequently to the conquering King Edward I of England.⁶⁵

There is also a good deal of evidence for the continuing vigour of lords' courts between 1214 and 1249. For present purposes, the most important observation about these courts is that they continued to be places in which the tenurial relationship between lord and tenant could be worked out, through such processes as the granting and resignation of a holding, disciplinary procedures concerning the tenant's failure to perform the services owed to the lord for his lands,

⁶² The phrase has overtones of *jus proprium*, as distinct from the *jus commune* of the kingdom.

⁶³ MacQueen, 'Laws of Galloway', *passim*.

⁶⁴ *Glasgow Registrum*, i, nos 139, 141.

⁶⁵ Duncan, *Scotland*, 530–1; G.W.S. Barrow, *Robert Bruce and the community of the realm of Scotland*, 3rd edn (Edinburgh, 1988), 5–6, 112.

or disputes about who was entitled to hold the lands. An example of the last can be found in the 1220s, when Patrick of Naughton quitclaimed the lands of Moncreiffe to David de Munehtes and his heir in perpetuity in the court of Philip de Moubray.⁶⁶ The interaction of these courts with the outside world can however be seen in the presence at this case of the king's chancellor, a cleric named Master Matthew (who was therefore a university man).⁶⁷ Also present was Bredi Portanache, then *judex*, most likely of Strathearn, perhaps an illustration of the importance of such officers as links between the older customs and the Anglo-French and canon law influences also at work. Another interesting instance where we can see the lord's court interacting with the king's *c.*1225 is in a charter of Alan of Galloway as lord of Cunningham where he confirms Hugh of Crawford in the third part of the toun of Stevenston which had been sold to him by Margaret daughter of Adam Loccard. Margaret had quitclaimed the lands and rendered them to Hugh in Alan's court, but for greater security she also quitclaimed Hugh in the king's court.⁶⁸ This document 'surely hints at the potential inability of Alan's court on its own to sustain Hugh's title. It may not have been Alan who was being forestalled here so much as some possible claimant in the king's court who would be able to undo what had happened in Alan's court.'⁶⁹

Developments in the world of secular law and custom went alongside the continued growth of ecclesiastical jurisdiction. Officials can be found in virtually every Scottish diocese in the period, and on the whole they continued to be university men, presumably having studied decreets.⁷⁰ There was also a considerable growth in the use

⁶⁶ *Moncreiffs*, ii, appendix no. II.

⁶⁷ For Master Matthew the Scot, see Watt, *Biographical Dictionary*, 489–90; he was probably a graduate of Paris in Arts and Theology, but may just possibly be identified with Master Matthew of Aberdeen who was official of Dunkeld 1203 × 1210 (*ibid.*, 1).

⁶⁸ Printed as an appendix to Stringer, 'Periphery and core in thirteenth-century Scotland: Alan son of Roland, lord of Galloway and constable of Scotland', in A. Grant and K.J. Stringer (eds), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993), 110–11.

⁶⁹ MacQueen, *CLFS*, 45.

⁷⁰ For Richard and 'W.' officials of Aberdeen see Watt, *Fasti*, 23, and Watt, *Biographical Dictionary*, 468–9 and 561–2; for Daniel and Maurice, officials of Argyll, Watt, *Fasti*, 38; for Henry de Norham official of Brechin, Watt, *Fasti*, 56, and Watt, *Biographical Dictionary*, 430; for Durand and Geoffrey, officials of Galloway, Watt, *Fasti*, 140; for Richard de Ancrum official of Glasgow, Watt, *Fasti*, 187; for 'M.'

of papal judges-delegate. Nearly half of the 158 cases identified by Dr Paul Ferguson as having taken place before judges delegate between 1165 and 1286 occurred in the reign of Alexander II.⁷¹ Many if not all of these judges-delegate must have been, like the ones who decided the great dispute over the lands of Monachkenneran in 1233 'wise men learned in both the canon and the civil laws'.⁷² A striking example may be Master Laurence of Thornton, 'the single most frequent judge-delegate of the period [1209–1238 × 1240]', and also official of St Andrews diocese between 1203 and 1224 as well as a close associate of Bishop Malveisin.⁷³

The increasing role of judges-delegate during Alexander II's reign must have been apparent to contemporaries. This may be evident in the increasing number of clashes between the ecclesiastical and secular jurisdictions, especially where a dispute over land broke out between a layman and the Church in some shape or form. Like his father before him, King Alexander received papal letters reproaching him for allowing suits about land held in free alms to come before secular tribunals.⁷⁴ An apparent innovation of his administration was a form of royal prohibition by which litigation in an ecclesiastical forum could be halted by the claim that the matter was secular. An early example is the case between Robert Hood and the bishop of Moray over the lands of Llanbryde in 1225, which began before judges-delegate but was prohibited by the king, 'asserting that the aforesaid manor was his barony and that therefore it should take place in the royal and not an ecclesiastical court'.⁷⁵ The royal letters or briefes which were used for this purpose probably took more or less the form found in the later 'registers' of briefes, under which the Church court was prohibited from proceeding in cases of lay tene-

and J.', officials of the Isles, Watt, *Fasti*, 212; for William Agnus official of Moray, Watt, *Fasti*, 244, and Watt, *Biographical Dictionary*, 3; for Walter de Mortimer and Andrew de Aberdeen officials of St. Andrews, Watt, *Fasti*, 323, and Watt, *Biographical Dictionary*, 1, 419–20; and for Alexander de St. Martin official of Lothian Watt, *Fasti*, 327, and Watt, *Dictionary*, 478. It is worthy of mention that the officials of Argyll, Galloway and the Isles are not known to have been university men.

⁷¹ See Ferguson, *Medieval Papal Representatives*, Appendix I.

⁷² *Paisley Regstrum*, 169.

⁷³ Ferguson, *Medieval Papal Representatives*, 129; Watt, *Fasti*, 323; Watt, *Biographical Dictionary*, 531.

⁷⁴ *Scone Liber*, no. 120. See also *Glasgow Regstrum*, i, nos 158, 161; Ferguson, *Medieval Papal Representatives*, 187.

⁷⁵ *Moray Regstrum*, appendix, 459 (no. 6).

ments.⁷⁶ Their effectiveness is suggested by the precaution which churchmen seem to have started to take, by obtaining from their opponents in litigation a renunciation of the king's letters of prohibition.⁷⁷

But the picture of conflict between church and state should not be over-dramatised. As Dr Ferguson has pointed out, churchmen were frequently able to make claims to land against laymen successfully before judges delegate, while laymen often made claims against the Church in the same forum.⁷⁸ Dr Ferguson concludes with appropriate caution:⁷⁹

The picture which seems to emerge here is one of occasional instances in which powerful laymen were able to defeat or delay their ecclesiastical opponents and to force them into the secular forum. Secular jurisdiction was also invoked when the subject of the suit was of particular interest to the Crown . . . Where lesser men were defenders, and where such interests were not involved, the jurisdiction of papal judges-delegate seems seldom to have been challenged by secular jurisdiction. As Duncan notes, however, a firm conclusion on this issue will require a comprehensive study not only of the cases before judges-delegate but also of the many compositions which may have resulted from litigation in the secular forum.

The jurisdiction of the canon law in the affairs of the laity seems to have won acceptance in questions of status, marriage and legitimacy.⁸⁰ At the very end of King Alexander's reign and at the beginning of that of his successor, Alwin of Callendar and John of Kinross, both laymen, were litigating before papal judges-delegate over John's claim that Alwin was illegitimate and therefore not entitled to inherit certain lands which would otherwise fall to John.⁸¹ The case nicely illustrates the interaction between the ecclesiastical and the secular in matters of law and litigation. Since the lands in question were unquestionably a lay tenement, a judgement in John's favour on the legitimacy point would not have concluded the process of recovering the lands. He would have had to go off to the secular courts for that purpose. But at the same time the substance of the canonical rules

⁷⁶ *Reg Brieves*, 46 (no. 64), 55 (nos 23–7); *Formulary E*, nos 4–7.

⁷⁷ MacQueen, *CLFS*, 110.

⁷⁸ See Ferguson, *Medieval Papal Representatives*, 140–1, 181–2, 187–9.

⁷⁹ *Ibid.*, 189.

⁸⁰ *Ibid.*, 157–9.

⁸¹ Cooper, *Cases*, 61–5; Ferguson, *Medieval Papal Representatives*, 158–9.

on marriage and legitimacy was crucial to the secular rules on inheritance of land. As we have seen with the dispute about the succession in Galloway in 1234, one dubbed illegitimate by the canon law would be excluded from any claim to inherit.

Major developments took place in the general canon law itself during the reign of Alexander II. Apart from the promulgation of the *Liber Extra* in 1234, already mentioned, in November 1215 there took place in Rome under Pope Innocent III the Fourth Lateran Council, which ushered in a large number of major reforms, including, most significantly for our purposes, a prohibition upon clerical participation in the ordeal.⁸² Although the Council was attended by three Scottish bishops, including William Malveisin, and by Henry abbot of Kelso,⁸³ there were problems in administering its reforms in Scotland through the lack of a metropolitan archbishop. This led to the establishment by Pope Honorius III of the Provincial Council of the Scottish Church in 1225.⁸⁴ This was not only the deliberative body of the Scottish Church, but also both a legislative and a judicial body. Donald Watt observes in his account of the Provincial Council:⁸⁵

Provincial councils everywhere after the Fourth Lateran Council were charged with reform of 'mores', meaning presumably prevailing customs of all kinds. In Scotland, as elsewhere, a consequence was that the decades after 1215 saw local church leaders compiling collections of statutes for approval at both diocesan and provincial levels. . . . [T]he bulk of the Scottish provincial statutes is concerned with defining matters of local custom, rather than with emphasising the universal law of the Church. . . . Whatever a pope like Innocent III might think, the *Corpus [Juris Canonici]* was no monolithic code of law ready to be enforced everywhere throughout the Church: it was a quarry from which church lawyers were constantly excavating rules which they claimed to be the law of the Church, but which were interpreted in widely divergent ways by different schools of lawyers.

⁸² For a translation of the decrees of the Council, see *English Historical Documents*, iii, 643–76. The abolition of clerical participation in the ordeal is c.18 (*ibid.*, 654). On the Council see J. Sayers, *Innocent III: Leader of Europe 1198–1216* (London and New York, 1994), 95–101, 114–15.

⁸³ Anderson, *ESSH*, ii, 405.

⁸⁴ *Statutes of the Scottish Church*, 1.

⁸⁵ D.E.R. Watt, 'The Provincial Council of the Scottish Church 1215–1472', in Grant and Stringer (eds), *Medieval Scotland*, 147, 151.

The Provincial Council was not the only body to issue legislation between 1214 and 1249. Perhaps the single most significant piece of legal material surviving from the reign of Alexander II is his statutes, which undoubtedly embody and reflect extremely important steps in the creation of the Scottish common law. They appear in particular to give a new prominence to the jury as an instrument of justice in both civil and criminal matters, to reduce dependence on the duel and the ordeal, and, finally, to be the occasion of the introduction of the pleadable *briefe of dissasine* or *novel dissasine*, modelled on the crucially important English common law writ of *novel disseisin*.

The attribution of the statutes to Alexander II is not without problems. In the earliest manuscript, the fourteenth-century Ayr MS, they are placed amongst the assizes of David I, and this tradition ran on until the sixteenth century. But a separate tradition, of which the late fourteenth- or early fifteenth-century Bute MS appears to be the earliest example, assigns them to 'Alexander son of king William', along with dates and, in some later manuscripts, the personnel present when the statutes were enacted.⁸⁶ Thus we are told that the most important group of statutes was passed at Stirling on the Sunday before the feast of St Luke the Evangelist in 1230 (13 October), in the presence of the king, the bishop of St Andrews (William Malveisin), Malcolm earl of Fife, William Comyn earl of Buchan and justiciar of Scotia, Thomas Melsanby prior of Coldingham, Walter Olifard justiciar of Lothian, Walter fitz Alan steward of Scotland, John Maxwell and many others. In February 1245 a larger group of bishops, abbots, earls and others gave their consent and assent to further statutes of the king, while in May 1249 another group of magnates and prelates which included the justiciars of Scotia and Lothian met

⁸⁶ The general pattern of attribution is clear from the 'Notice of the Manuscripts' and 'Table of Authorities' in *APS*, i, 175–210 and 224–5 respectively. In the important British Library Additional MS 18111, not known to the editors of *APS*, the 1230 statutes are included amongst the *Assise Regis David* (f. 130r). It is worthy of note that the earliest MSS in which there appears the group of names mentioned as present in 1230 are written in Scots rather than Latin, i.e. NLS Adv MS 25.4.15 (ff. 89v, 106r) and Adv (Cokburn) MS 25.4.14 (f. 94v), both of late 15th-century date. Could they be translations of sources from which previous copyists had omitted material thought to be of no practical importance? I am grateful to Dr David Fergus of Glasgow University for giving me access to his microfilm collection of 'auld lawes' MSS to assist in my pursuit of this question.

at Stirling to witness the king's enactment of a statute. While as they stand in the surviving manuscripts these attributions are not contemporary, it is difficult to imagine that a later medieval scribe could have invented what are undoubtedly lists of some of the most prominent of the king's counsellors at the relevant times. This tends to support the basic authenticity of the transmission of the texts from whatever form was taken by the originals into the copies and translations made by and for later medieval lawyers, although we cannot be sure that the exact wording of the originals has come down to us.

The deployment of the jury, and the downplaying of the duel and the ordeal, in these statutes has taken on significance mainly as the Scottish response to the abolition of clerical participation in the ordeal by the Church at the Fourth Lateran Council in 1215. Robert Bartlett has shown how this withdrawal of ecclesiastical support undermined the credibility of the ordeal as the judgement of God, and therefore presented a major crisis for the secular systems of justice throughout Europe.⁸⁷ It seems clear that the need for alternative systems of proof which was universally felt in the difficult cases in which the ordeal had previously been available must also have been applicable in Scotland. Ian Willock has rightly cautioned against seeing the statute of 1230 as representing the definitive abolition of the ordeal in Scotland and its replacement with the jury (here described as a *visnet*) as a mode of proof, since in terms it is confined to cases of theft and robbery.⁸⁸ Similarly, the statute which requires the use of a local group of persons (i.e. a jury) to consider the complaints of those 'who ought not to fight' must be seen as a specific solution in a particular context—the loss and recovery of moveable property—rather than an attempt to abolish the duel in all cases.⁸⁹ But nonetheless the statute does reflect the influence brought to bear on the secular law by ecclesiastical pressure, personified at Stirling by Bishop Malveisin in particular. He had attended the Lateran Council and had already been a no doubt willing recipient and disseminator of correspon-

⁸⁷ See Bartlett, *Trial by Fire and Water*.

⁸⁸ APS, i, 400 (c.6); I.D. Willock, *The Origins and Development of the Jury in Scotland* (Edinburgh, 1966), 23–8. For an example of an ordeal exculpating one guilty of rape, narrated in a mid-thirteenth-century text, see R. Bartlett (ed.), *The Miracles of St. Æbbe of Coldingham and St Margaret of Scotland* (Oxford, 2003), 118–9 (on the dating of the text see *ibid.*, xxxiv–vii, xlix).

⁸⁹ APS, i, 399 (c.5).

dence from other ecclesiastics railing against the judicial duel.⁹⁰ It was probably Malveisin again who, having remained in Rome after the Lateran Council,⁹¹ had procured from Pope Innocent III in 1216 a bull specifically condemning the 'baneful custom' in Scotland by which the clergy could be compelled to undergo judicial duels.⁹² Prominent amongst the persons who under the 1230 statute were not to fight duels were men of religion, clerks and prebendaries;⁹³ and this probably had some effect, to judge from two briefs of protection issued by the king in 1232, taking the monks of Melrose and Balmerino respectively under royal protection and instructing all his sheriffs to treat the causes of the monks as though they were the king's own, including finding a champion (*pugnatores*) for them if need be.⁹⁴

As this evidence confirms, however, the duel continued to play a part in the administration of the law after 1230—indeed for some centuries after 1230.⁹⁵ In 1242 Walter Bisset was accused of the killing of Patrick of Atholl. He offered to clear himself by duel or compurgation, while his accusers demanded that the accusation be put to a jury. The issue seems never to have been resolved by formal process and Walter, having put himself in the king's mercy, abjured the realm.⁹⁶ The story demonstrates how far the jury still was from displacing the duel, and it may also be part of the background to further legislation in 1245,⁹⁷ when it was provided that the justiciar of Lothian should hold an inquest to identify wrongdoers within his jurisdiction since Christmas 1243. Those identified were to be arrested and brought before the justiciar and a faithful *visnet*, which would determine whether they were guilty of '*murthra*' (probably meaning secret killing, unseen by witnesses, as had happened in the slaying of Patrick of Atholl), robbery or similar felonies

⁹⁰ See above, 231.

⁹¹ See Anderson, *ESSH*, ii, 405, 431.

⁹² *Statutes of the Scottish Church*, 293.

⁹³ *APS*, i, 399 (c.5).

⁹⁴ *Melrose Liber* no. 175; *SHS Misc*, viii, 8–9.

⁹⁵ The *locus classicus* for Scotland remains G. Neilson, *Trial by Combat* (Glasgow, 1890). See further W.D.H. Sellar, 'Courtesy, battle and the brief of right 1368—a story continued', in *Stair Society Miscellany II* (Edinburgh, 1984); MacQueen, *CLFS*, 197–9.

⁹⁶ Duncan, *Scotland*, 543–6.

⁹⁷ *APS*, i, 403–4, (c.14).

pertaining to the king's crown. If so, all their goods would be forfeit to the king. But conviction of such lesser crimes as theft or homicide (i.e. killing other than *murthra*)⁹⁸ would lead to forfeiture to their lord. The procedure of indictment by inquest and trial before the justiciar was to continue in future, but all those convicted of theft or homicide would be handed over to their lords to have justice carried out without any redemption save by the grace of the king.

The continuing role of lords' courts in the punishment of crime suggests a certain continuity from one of the earlier statutes of 1230 which had restricted the power of lords to repledge wrongdoers to their own courts to certain cases only, i.e. where the accused was the lord's liege man, serf, dweller on his lands or a member of his *familia*. This question was to be determined by lawful men of the country.⁹⁹ Both acts therefore interposed a process of inquiry by inquest before proceedings might be carried forward in whatever was the appropriate forum.

As Geoffrey Barrow has observed, the procedure introduced in 1245 is highly reminiscent of the jury of presentment introduced in England by the Assize of Clarendon in 1166.¹⁰⁰ But the influence of canonical criminal procedure must also be taken into account. From early in the thirteenth century, and in particular after the Lateran Council in 1215, the Church was developing the accusatory process of the inquisition, 'so-called', writes James Brundage,¹⁰¹

because it was conceived of as an investigatory process initiated by public authorities, such as judges, who operated through inquiry (*per inquisitionem*) into wrongdoing that was a matter of common knowledge or grave suspicion (*notorium, manifesta* and *fama* were the terms generally used to describe such affairs).

The process was concerned with the 'occult crimes', such as heresy, which did not lend themselves to ready or decisive proof; and it is striking that the inquest established by the Scottish statute of 1245

⁹⁸ The statute is an interesting indication that the distinctions of homicide which would later crystallise as killing by forethought felony or upon a suddeny were already present in the criminal law. See further W.D.H. Sellar, 'Forethocht felony, malice aforethought and the classification of homicide', in W.M. Gordon and T.D. Fergus (eds), *Legal History in the Making* (London and Ronceverte, 1991).

⁹⁹ *APS*, i, 399 (c.4).

¹⁰⁰ Barrow, *Kingdom*, 112.

¹⁰¹ *Medieval Canon Law*, 94-5.

was to concern itself with secret killings and robberies, violent crimes to which the only witness apart from the perpetrators might well be the victim. A combination with direct English influence seems quite probable, however, since in a final provision of the 1245 statute, any knight indicted by the inquest was to have a *visnet* of other knights or freeholders of heritage. This principle of 'trial by peers', found in Magna Carta (cc 21, 39, 59), was to be repeated in the last known legislation of the reign, at Stirling in May 1248.¹⁰²

The awareness of English law and procedures which is thus apparent in the 1245 statute is even more clear in the 1230 legislation introducing a procedure to remedy dissasine. As already noted, the model here was the famous assize of novel disseisin, invented in England in the 1160s (after 'many wakeful nights', according to *Bracton*).¹⁰³ The English writ enabled a plaintiff to bring before the king's justices his complaint that the defendant had disseised him of his free tenement unjustly and without a judgment, and to have the issue determined by a recognition of twelve men of the neighbourhood in which the lands lay. Restoration would follow a verdict in the plaintiff's favour. The influence of this writ can be best seen from the words of the 1230 statute itself:¹⁰⁴

The lord king Alexander also enacted at the said day and place that if anyone should complain to the lord king or his justiciar that his lord or any other person has dissaised him unjustly and without a judgment of any tenement of which he was previously vest and saised, and shall find pledges for the pursuit of his claim, the justiciar or the sheriff by precept of the king or the justiciar shall cause it to be recognosced by good men of the country if the complainer makes a just complaint. And if it shall be recognosced and proved, the justiciar or the sheriff shall cause him to be resaised of the land of which he was dissaised, and the dissaisor shall be in the king's mercy. If however it shall be recognosced that the complainer has made an unjust complaint, the complainer shall be in the king's mercy of ten pounds.

¹⁰² *APS*, i, 404 (c.15). See further J.C. Holt, *Magna Carta*, 2nd edn (Cambridge, 1992). For possible influence from the learned laws see R.H. Helmholz, 'Magna Carta and the *ius commune*', *University of Chicago Law Review*, lxvi (1999), especially at 326–9.

¹⁰³ *Bracton*, iii, 25. See generally, in addition to literature cited above at note 8, D.W. Sutherland, *The Assize of Novel Disseisin* (Oxford, 1973).

¹⁰⁴ *APS*, i, 400 (c.7).

What is the significance of this statute? It fits in with the general pattern of the 1230 legislation in making available a standard procedure under which the issue in dispute would be resolved by a jury rather than by other means. Although we lack direct evidence on the subject, it seems probable that before 1230 a dispute about who should hold a piece of land outside a burgh would generally have been resolved by a duel if it could not be settled by negotiation.¹⁰⁵ The new action was also a crucial step towards the conversion of royal justice into a common law of the kingdom. The statute was laying down a procedure to be automatically available to a complainer before the king or the justiciar. It could be invoked by obtaining a 'precept of the lord king', that is, a royal brieve. We know from later evidence that this brieve was in a standard form, the wording of which came very close to that of the original statute. Royal justice here was therefore no longer a favour or an *ad hoc* intervention; it was a matter of course or of right for the complainer.

The participants at Stirling in 1230 must also have had a very clear idea of the significance of the step they were taking. The assize of novel disseisin had been at the very heart of the development of the English common law, and remained one of the most popular forms of action before the king's justices. Of the known actors at Stirling, perhaps the most significant here were the two justiciars, Walter Olifard of Lothian and William Comyn of Scotia. In 1230 each had held office for a very long time: Walter since 1215 and William for an even greater period, since 1205; they must have brought to the deliberations extensive experience of the problems actually encountered in court. Both men also belonged to the important group of the Scottish nobility who held lands in England as well as Scotland;¹⁰⁶ they would therefore have been at least aware of the procedures used in the English royal courts.

What were the factors which led the gathering at Stirling to take the step of introducing an action for dissasine? The statute's reference to dissasine by the complainer's 'lord or any other person' suggests the possible relevance of a debate amongst English legal historians as to the origins of novel disseisin. Was the assize originally simply

¹⁰⁵ MacQueen, *CLFS*, 37–9, 198–200.

¹⁰⁶ A. Young, *Robert the Bruce's Rivals: The Comyns 1212–1314* (East Linton, 1997), 15–16, 19–28; K.J. Stringer, *Earl David of Huntingdon: a study in Anglo-Scottish History* (Edinburgh, 1985), 159.

a means of regulating the lord's power to discipline tenants who failed to perform the services owed for their land by ejecting them from their tenement? This would explain, amongst other things, the requirement that the disseisin be 'unjust and without a judgment'; a just judgment of the lord's court was necessary before a tenant could be expelled from his holding.¹⁰⁷

But while this view has offered a powerful insight into a world in which disseisin could happen otherwise than through casual, almost anarchic violence, and links in an important way with the principle that the king would remedy defects of justice in the courts of others, it has not gained acceptance as the sole explanation for the development of the action. In support of this conclusion, it may be noted, the Scottish statute does not see lords as the only dissaisors against whom redress might be sought. Another potential source of disseisin which emerges from the English evidence was the Church, enforcing its rights to land, not as a feudal lord, but under the canon law rules which required bishops to recover land unjustly alienated by their predecessors. Could novel disseisin have been the means by which laymen who had acquired land from the Church were enabled to resist the processes of the canon law?¹⁰⁸ Did the problem extend further, as our earlier discussion of the clashes between ecclesiastical and secular jurisdiction in cases about land may suggest, to the expulsion of laymen from their holdings following litigation before judges-delegate?

I have suggested elsewhere that a dispute which was ongoing around 1230 before Walter Olifard as justiciar of Lothian may have been a specific trigger for legislative action in Scotland.¹⁰⁹ The case was between Patrick, son of the earl of Dunbar, and the priory of Coldingham. Patrick was said to be unjustly occupying the priory's lands of Swinewood in Berwickshire. The whole matter was eventually settled in Walter's justiciary court at Roxburgh in 1231, when Patrick renounced his claim and acknowledged the *plenum ius* of the priory to the lands. Was this settlement obtained because the priory

¹⁰⁷ The argument begins with Milsom, *Legal Framework of English Feudalism*, 1–35; see now Hudson, *English Common Law*, 193–8.

¹⁰⁸ M. Cheney, 'The litigation between John Marshal and Archbishop Thomas Becket in 1164: a pointer to the origins of novel disseisin?', in J.A. Guy and H.G. Beale (eds), *Law and Social Change in British History* (London, 1984).

¹⁰⁹ Raine, *North Durham*, no. 126; MacQueen, *CLFS*, 142–3.

now had to hand a royal remedy by which its claim could be made good? It may be significant that Thomas Melsanby, prior of Col-dingham, was another who was present at Stirling in October 1230 to assent to the passage of the statute on dissasine. But if there was a connection between this case and the statute, then it is worth noting that there does not appear to have been any tenurial relationship between Patrick and the priory, and that in this case it was the ecclesiastical organisation which successfully resisted the claims of the layman, even in the secular court.

Discussion of the background to the introduction of the brieve of dissasine should also take account of the introduction of another pleadable brieve, that of mortancestry. There are grounds for supposing that this brieve, which was also modelled on one of the key writs of the early English common law, the assize of *mort d'ancestor*, was introduced to Scotland before 1237, making it another innovation of Alexander II.¹¹⁰ Certainly it was in use not long after the king's death, when in 1253 Emma of Smeaton raised an action against Dunfermline abbey by royal letters of that name.¹¹¹ Procedure under the brieve was similar to that for dissasine: generally it took place before the justiciar, and a jury or recognition was always used to determine the facts of the dispute. The brieve enabled a claimant to recover lands from the defender currently holding them by showing that he was entitled to inherit from one of a limited number of relatives. Thus, whereas dissasine protected security of possession, mortancestry protected security of inheritance.¹¹² Again it has been suggested that the primary purpose of the English action was to compel lords to enter the heirs of their deceased tenants and to limit their discretion when tenements held of them fell vacant through death of the incumbent.¹¹³ This view has not commanded universal

¹¹⁰ *Ibid.*, 169–70.

¹¹¹ *Dunfermline Registrum*, nos 82–3.

¹¹² It is by no means impossible that the legally-minded clergy present at Stirling in 1230, such as William Malveisin, saw the new remedy for dissasine as a possessory one, to be distinguished from other, petitory or proprietary ones. For the canonical and ultimately Romanist distinction between proprietary and possessory claims being used in Scotland before 1230, see *Statutes of the Scottish Church*, 199 (letter from Pope Innocent III to inter alia the bishop of St Andrews (Malveisin?), and Master Laurence the official of St Andrews), and *Moray Registrum*, nos 73–4 (judges-delegate in 1226 grant possession of lands of Rhynie to bishop of Moray while expressly reserving the question of property).

¹¹³ Milsom, *Legal Framework*, 154–76; Hudson, *English Common Law*, 198–201.

support, but no convincing or plausible alternative has since been put forward.

There are a number of cases in Scotland in the 1230s and 1240s in which actions for the recovery of land were begun by royal brief before the justiciar or the sheriff, many of them seeming to involve a 'recognition', that is, a jury or assize. They may therefore be cases of either dissasine or mortancestry.¹¹⁴ Many of these do appear to involve disputes between lords and tenants, and in several of these the lord was the priory of Coldingham. Thus between 1233 and 1235 Eda, Maria and William of Paxton sought to exercise a right of estovers in the priory's wood at Restonside 'by the lord king's brief of recognition addressed to Sir William Lindsay then sheriff of Berwick'.¹¹⁵ At the time the priory claimed to be the superiors of Paxton. Probably not long after, the priory was defending another action begun against it by one of its tenants 'by the lord king's brief of recognition', this time addressed to the justiciar of Lothian. The tenant, Mariota of Chirnside, and her son Patrick were claiming one ploughgate at Renton, which was held of the priory.¹¹⁶ In 1247 Adam Spott impleaded Ranulf of Buncle 'by precepts of the lord king' for certain lands in the defender's lordship of Buncle, the action beginning in the sheriff court of Berwick but ultimately being settled before the justiciar of Lothian.¹¹⁷ Probably around 1250 another Mariota, daughter of Samuel, raised an action about the lands of Stobo by royal letters in the sheriff court at Traquair.¹¹⁸ The defender in the action, the bishop of Glasgow, was the superior of Stobo, and, like the Paxton case, the substance of the action was probably rights in common claimed by the tenants in the superior's land.

In 1235 Gilbert son of Samuel impleaded Maeldomhnaich earl of Lennox before the justiciar of Scotia for the lands of Monachkenneran, having raised his action 'by letters of the lord king'.¹¹⁹ This case involves a mixture of ecclesiastical and secular processes which may show how scenarios of dissasine could arise. Monachkenneran pertained to the church of Kilpatrick which the earl had subinfeudated

¹¹⁴ See further MacQueen, *CLFS*, 138–41, 170–1.

¹¹⁵ Printed and commented upon in *Journal of Legal History*, iv (1983), 48*.

¹¹⁶ Raine, *North Durham*, no. 378.

¹¹⁷ Fraser, *Douglas*, iii, no. 285.

¹¹⁸ *Glasgow Registrum*, nos 130, 131, 172.

¹¹⁹ *Paisley Registrum*, 170.

to Paisley abbey. The rector of Kilpatrick was the earl's younger brother Dougal, who had alienated the lands to Gilbert in a transaction which the earl had then confirmed. Enforcing the canon law rules against unjust alienation of church lands, the abbey recovered Monachkenneran by action before papal judges-delegate in 1233, but Gilbert remained contumaciously absent from the proceedings, meaning that the secular arm had to be brought in to enforce the judgment. It was possibly at this stage that the earl had to eject Gilbert, going against the earlier confirmation, and the latter's reaction was perhaps to bring a *briefe of dissasine*. In any event he obtained sixty silver marks from the earl in settlement of the claim.¹²⁰

This and the other cases mentioned above suggest that the exercise of lordship in land, claims to common rights, and the sometimes competing processes of canon and secular law do lie behind the situations in which we can see actions being raised by *briefe* in the royal courts. The most probable explanation for the introduction of the *briefe of dissasine* in 1230, and its partner the *briefe of mortancestry* shortly afterwards, ought therefore to take account of all these factors, as well as a royal interest, drawing upon the long-established duty of the king to hold the peace and prevent defaults of justice, in protecting security of both tenure and inheritance in relation to land. The involvement of women as pursuers in many of the cases may also be important: were they struggling to ensure rights of inheritance and *terce* against reluctant lords and heirs? Finally, many of the cases are about quite small areas of ground and involve claimants who can at best have been only the medieval equivalent of minor gentry in terms of their social status. It is therefore possible that the *briefes of dissasine* and *mortancestry* were bringing to bear at this level of society the norms and customs already established amongst the higher echelons.

A final consequence of the introduction of the *briefes of dissasine* and *mortancestry* may have been the formulation, or perhaps refocusing, of the *briefe of right* and the establishment of the important rule that no-one could be made to answer for the lands he held save through an action raised by royal *briefe*. As already mentioned,¹²¹ in the twelfth century the king had enforced his peace and

¹²⁰ See further on the Monachkenneran dispute Cooper, *Cases*, 33–40.

¹²¹ See above, 225.

protection by commands to do right. We also know from evidence after the reign of Alexander II that alongside the brieves of dissasine and mortancestry there was later a breve *de recto*—of right—also used for the recovery of lands in dispute.¹²² Most probably this breve developed its specific characteristics after dissasine and mortancestry had carved out their respective niches in the protection of sasine and inheritance. This development left a number of problem areas untouched, and it seems clear that in the later medieval law the breve of right came to perform a residual or ‘sweeper’ function in cases about land. The insistence from 1230 that dissasines had to be carried out justly and by judgement may well have led lords and other claimants unable to use mortancestry but seeking to oust sitting tenants to take action themselves by royal breve. From the 1230s on, there are a number of cases in which actions about land were raised in lords’ courts but by means of the king’s breve.¹²³ The evidence is too thin to allow firm conclusions to be drawn; but these brieves may well have been royal orders addressed to the court commanding that right be done. And if proceedings like this became at all common, then it can only have been a short step to the rule, long established in the English common law, that an action over a claim to land could only be commenced with a royal command.¹²⁴ At that point, whenever it occurred (and it must have been before 1270, when we have our first statement of this rule), royal justice had laid claim to an exclusive power to deal with certain types of dispute. Further, another weapon had been created with which the Church’s claims to jurisdiction could be fought off. A major step had been taken towards the creation of a Scottish secular common law.

In sum, therefore, while during the reign of Alexander II royal justice clearly built on foundations already laid in the course of the twelfth century, it also became more articulate and systematic, and began to assert much more strongly not just ultimate, but also exclusive jurisdiction within the realm in relation to secular land. The claims of the ecclesiastical courts were resisted and circumscribed, and the courts of local lords were subjected to more intensive supervision and scrutiny. A key instrument in this process was the royal

¹²² See MacQueen, *CLFS*, 188–210.

¹²³ MacQueen, *CLFS*, 193–4.

¹²⁴ *Ibid.*, 105–11.

briefe, by the increasingly standardised forms of which the claims of royal justice were made apparent in both secular and ecclesiastical fora. A greater awareness of the existence and significance of an independent legal system is apparent too in the writing down, at the very end of the reign in 1249, of the hitherto customary Laws of the Marches,¹²⁵ 'another aspect of the sharpening recognition on each side of the Border that to allow the king's subjects to be treated under the law of another kingdom would be in prejudice of royal authority and national identity'.¹²⁶

But it would be wrong to see the legal developments of this period purely as a reaction to the presence of competing authorities such as the Church and the king of England. In particular, the Church can be seen to have provided an impetus for change quite apart from the breadth of its jurisdictional claims. As the guardian of the spiritual and moral health of Christendom, it brought a wholly different kind of pressure to bear upon secular law and custom, a pressure which seems to have borne fruit in Scotland. The most obvious example discussed or mentioned in this paper is the success of the ecclesiastical attack upon the *judicium Dei*, and the deployment in its place of the inquest or jury. But many other instances can be given. The fundamental concept of default of justice as a means of expanding royal jurisdiction was transplanted from the canon law. Criminal law, and in particular the gradations of homicide, seems to be informed by the moral perceptions of the Church, as does the desire, already evident in the twelfth century, to repress the settlement of feud by private settlement rather than by just punishment. The canon law of marriage, legitimacy and status not only challenged the lax customs of the laity but came to lie at the heart of the secular rules about the inheritance of land. We may also suspect that it was the Church which was the most important influence in establishing the right of women to inherit despite much contrary social practice. In this way the development of Scots law was exposed to the influence of wider patterns of development in Europe. At the same time it drew inspiration from the rising common law of England, while

¹²⁵ *APS*, i, 413–6, translated with commentary by G. Neilson, in *Stair Society, Miscellany One* (Edinburgh, 1970), 11–77.

¹²⁶ MacQueen, '*Regiam Majestatem*', 10. See further on the *Leges Marchiarum* of 1249, W.W. Scott, 'The March Laws reconsidered', in Grant and Stringer (eds), *Medieval Scotland*.

retaining much from a past that stretched back beyond the twelfth century. In 1254, five years after the death of King Alexander, Pope Innocent IV issued the bull *Dolentes*, identifying Scotland as a land where the affairs of the laity were governed by lay customs and those of the church by the canons of the holy fathers.¹²⁷ Understandably the Pope did not dwell on the interplay just observed between the lay customs and the canon law, but it was already, and would continue to be, a vital ingredient in the emergence of a distinctive common law of Scotland.

¹²⁷ The text of the bull is to be found in Matthew Paris, *Chronica Majora*, ed. H.R. Luard (Rolls Series, London, 1872–83), vi, 295.

BURGHs AND BURGESSES: A TIME OF CONSOLIDATION?

E. Patricia Dennison

Burghs are first documented in Scotland early in the twelfth century, although there is no doubt that a number of small settlements were already, before this time, exhibiting characteristics that might be defined as 'urban'. At least both Berwick and Roxburgh, and possibly also Dunfermline, Stirling, Perth and Edinburgh, were privileged with the grant of burghal status even before David I (1124–53) became king of Scots.¹ His reign saw the bestowal of status of 'burgh' on more small townships and urban settlements. David I's initiation of the policy of founding and bestowing privileges on burghal communities was continued by his grandson, Malcolm IV (1153–65), but it was the reign of a younger grandson, William I (1165–1214), that saw a real affirmation of this policy. Some seventeen burghs had been founded by the end of David's reign.² By the death of William I, there were approximately forty.³ This burghal heritage passed to William I's son, on 6 December 1214, when he was acknowledged at Scone as King Alexander II, at the age of sixteen years and three months. But what was this heritage?

This is the first of three questions addressed in this essay. When defining what Alexander II inherited, the most obvious response is very much constitutional and legalistic; for burghs were quite specifically legal entities that were 'made' or established and did not merely 'emerge' on the Scottish scene. But to describe burghs solely in this manner would give only a partial picture, for burghs were towns or townships where people lived and worked; and, indeed, with which Alexander II had close physical contact. It is, therefore, important, also, secondly, to describe what contemporary people actually saw

¹ G.S. Pryde, *The Burghs of Scotland* (Oxford, 1965), 3; *Dunfermline Registrum* (Bannatyne Club, 1842), no. 26.

² Pryde, *Burghs*, 3–8 & 37; A.A.M. Duncan in *Atlas of Scottish History*, edd. P.G.B. McNeill & H.L. MacQueen (Edinburgh, 1996), 196.

³ Duncan in *Atlas*, 197; Pryde, *Burghs*, 6–17 & 37–41.

when they viewed a burgh. Many would have seen burghs as different from their rural surroundings through their rules, regulations and privileges. But they would also have seen them as distinct physical entities on the landscape—there were buildings and gates and fences that set them apart. Thirdly, this essay addresses the question of whether Alexander II did invest wisely in his burghal heritage. Was this a time of consolidation for Scotland's burghs and burgesses?

Twelfth- and thirteenth-century burghal charters and legislation were intended to specify the rights and obligations of burghs, and tell us how their privileged inhabitants, the burgesses, were intended to live, rather than how they did in fact do so. It is to some extent easier, as a result, to describe the organisation and constitutions of burghs, even though many of the charters of Alexander II are now, without doubt, lost, than it is to depict the lives of the burgesses. Burghs were made legal entities either by the granting of burghal status by the crown or by the giving of the right to found a burgh by the crown to an important magnate or ecclesiastic. This was not an altruistic policy; the crown had much to gain from burghs. The Scottish burgh was a community organised for trade.⁴ The percentage of clauses dealing with mercantile matters in early burghal legislation,⁵ suggests that it was recognised as such before the reign of Alexander II. In practice and in time, this brought several advantages. The burghal community gained the right to have its own market, at which it could exact toll on others. Perhaps of most significance to burgesses was the freedom from payment of toll to the owner of a market, so enabling a burgess to travel at will around the country buying and selling. In some burghs, the establishment of a guild merchant further enabled the burgesses to take full advantage of their newly gained economic privileges.⁶ The Berwick guild appears to be of an earlier than thirteenth-century origin, and Perth and Roxburgh are known to have had guilds before 1189 × 1202, since

⁴ W.C. Dickinson, 'Burgh life from burgh records', *Aberdeen University Review*, xxi (1945–46), 224; F.W. Maitland, *Domesday Book and Beyond* (Cambridge, 1897), 193.

⁵ A. Ballard, 'The theory of the Scottish burgh', *Scottish Historical Review*, xiii (1916), 16.

⁶ *Leges Burgorum*, c. xciv; *Assise Regis Willelmi*, c. xxxix, in C. Innes (ed.) *Ancient Burgh Laws* (SBRs, 1868).

they are referred to in a charter of Roger, bishop of St Andrews, when the guild of that burgh was founded.⁷

Some burgh charters make specific reference to a more radical and far-reaching privilege: while burghs were to have a marketing monopoly, many of them were granted the sole right to trade over an extended rural hinterland. Such concessions are virtually unknown in such territorial breadth in the rest of Europe. In effect, a theoretical economic *contado* would become established in parts of Scotland: it obliged all inhabitants in a specified landward area to market their goods in the burgh of their locality.⁸

But it was not only the burgesses who benefited financially. It was in the crown's interests to promote burghs in this way since the royal burghs, through their economic activities, provided revenues for their overlord—the king. The tolls that were paid by outsiders to attend the burgh market, even if originally paid in kind, could be transmuted into cash and supplied the crown with a regular income. Burgh rents were a further source of revenue. Indeed, these burghal sources of revenue may have provided all of David I's known cash income.⁹ Moreover, all burgesses had the duty to watch and ward their burgh, thus ensuring not only the security of the built fabric, but also the safety of the market, an excellent source of income to the burgh superior.

The granting of burgh status further assured fundamental rights for its privileged inhabitants.¹⁰ Most striking was the relative freedom of a burgess: while recognising the authority of the burgh and its superior, other feudal ties were severed. The harshest punishment under burgh law was banishment from the community, for this meant

⁷ Charter 1189x1202, establishing a guild merchant in St Andrews, copied on to fo. 35 recto of 'Registrum evidentiarius civitatis Sancti Andree'. University of St Andrews Archives, B.65/1/1.

⁸ E.P. Dennison, 'Power to the people? The myth of the medieval burgh community', in *Scottish Power Centres from the Early Middle Ages to the Twentieth Century*, edd. S. Foster, A. MacInnes and R. MacInnes (Glasgow, 1998), 104–105.

⁹ A.A.M. Duncan, *Scotland. The Making of the Kingdom* (Edinburgh, 1978), 475.

¹⁰ There are no extant charters to burghs before 1160, and many of those known to have existed soon after this, such as those to Edinburgh, Perth and Berwick, are lost or destroyed. It is, therefore, necessary to extrapolate from surviving evidence, such as the charters to Inverness or Rutherglen, reiterating the rights bestowed by David I, *RRS*, ii, no. 213; *RRS*, ii, no. 224.

loss of all personal rights and privileges. Allied to this personal freedom went a right to burghage tenure, which was inalienable if inherited, except *in extremis*, and was, moreover, protected by the king's peace and later by burgh law.¹¹

From the early days of burghs there probably existed a form of burgh court to settle disputes emerging from within the burgh; and burgesses were freed from the obligation of trial by combat, as in England and elsewhere in Europe,¹² so being entitled to settle land disputes by a less brutal method, often by the use of 'fresh force' or the brieve of right.¹³ From the thirteenth century certainly, there existed law courts distinct from others of the realm, to deal with specifically burghal matters, jurisdiction covering all cases that arose in the burgh, other than the four pleas of the crown which technically were dealt with by the burgesses acting as suitors before the royal justiciar. The evidence suggests, also, that the burgh court appointed an assize to draw up rules for the town. This would eventually, but only eventually for most burghs, evolve into a burgh council.

There were other signs of growing urban self government. During this first century of burgh life, it would appear that the principal officer in some burghs ceased to be a royal appointee; and that gradually the *prepositus* (later called provost) became 'of the people'. This was the case in Perth before 1162 and in Inverkeithing by 1170, when burgesses are found holding these important posts.¹⁴ Allied with this, there also emerged the control of entrance to burghship by the burgesses themselves, through the swearing of an oath to the community of the burgh.¹⁵

Twelfth-century evidence shows clearly that there already existed a body of law, both legislative and customary in origin, which applied to all burghs.¹⁶ Whether these should be equated with the *Leges Burgorum*—the Laws of the Four Burghs—reputedly formulated in the

¹¹ *Leges Burgorum*, c. ic, for example, in Innes (ed.), *Ancient Burgh Laws*.

¹² According possibly to a grant of liberties by William I to Inverness and certainly to *Leges Burgorum*; *RRS*, ii, no. 388; *Leges Burgorum*, cc. xii & xiii. See also R. Bartlett, *Trial by Fire and Water. The Medieval Judicial Ordeal* (Oxford, 1986), 53–59.

¹³ H. MacQueen, *Common Law and Feudal Society* (Edinburgh, 1993), 110 & 155–56.

¹⁴ Duncan, *Scotland*, 483.

¹⁵ *Ibid.*, 484.

¹⁶ H.L. MacQueen & W.J. Windram, 'Laws and courts in the burghs', in *The Scottish Medieval Town*, edd. M. Lynch, M. Spearman & G. Stell (Edinburgh, 1988), 209.

reign of David I, is less certain. It was during the reign of William I, however, that royal recognition was confirmed;¹⁷ and the *Leges Burgorum* may well have been compiled gradually from this reign.¹⁸ The *Constitutiones Regis Willelmi*, laid down in William's reign, while dealing with a number of wider issues, were largely concerned with burghal regulations.¹⁹ With the borrowing, or copying, of burghal charters one from another, there was also established a common code, which offered general guidelines, but which each individual burgh might adapt to its own circumstances. The important factor is that burghs had an accepted corpus of law from early in their history.

Alexander II inherited an established and increasingly complex, but relatively new and fragile, sort of institution; there was no guarantee of survival without royal support or, at least, approval. Alexander II, however, had a close physical contact with many of his burghs and was often resident in them or in a castle nearby with close connections. Place-dates of extant written acts give some indication of his favourite locations; these tended to be concentrated in the eastern lowlands, between the English Border and the Mounth, much as had been the situation in the reign of his father. Alexander II issued fifty-nine acts from Edinburgh, twenty-seven from Stirling and twenty-four from Forfar.²⁰ Edinburgh had been the principal seat of government, if judged by place-dates, throughout the twelfth century, other than between the years 1175 to 1186, when it was occupied by Angevin castellans.²¹ That Forfar and Stirling should be more popular in the reign of Alexander II than, for example, Scone and Perth (eighteen and eight acts respectively), Selkirk (eighteen acts), Roxburgh (twelve acts), Arbroath (three acts) and Dunfermline (two acts) is interesting and a telling comment on the king's favour of the castles of Forfar and Stirling.²² A measure of their earlier importance may be seen by the fact that, David I stayed at Edinburgh fourteen times and Stirling thirteen times, compared with, for example, Perth (four visits) and Scone (twelve), Dunfermline (twelve),

¹⁷ *Leges Burgorum*, c. xciv; *Assise Regis Willelmi*, c. xxxix.

¹⁸ Duncan, *Scotland*, 481.

¹⁹ A number of manuscripts survive, the earliest being BL, Add. MS. 18111.

²⁰ K.J. Stringer, 'Place-dates of royal charters to 1296: Alexander II (1214–49), in *Atlas*, 162.

²¹ *Ibid.*

²² *Ibid.*

Berwick-on-Tweed (four) and St Andrews once. He favoured Forfar with a sojourn on at least two occasions, although clearly it was not then as popular a royal centre.²³ In the reign of William I, forty-five or forty-six acts were dated from Forfar, the same number as for Perth, forty-four were dated at Stirling, with only thirty-four from Edinburgh and twelve from Dunfermline, which shows a considerable rise in the importance of Forfar.²⁴ This royal patronage of Forfar may possibly reflect the fragmentation of the earldom of Angus, as the latter may well have included far more royal land than any other province than Gowrie.²⁵

Forfar, Stirling and Edinburgh, and indeed all the other burghs that received visitations from the crown, however, were far more than administrative and marketing centres. They were physical, intimate places—the homes, the workplaces and the refuges of their towns-peoples. What did they look like? Their townscapes would have been well known to Alexander in his numerous visits to the castles and their associated burghs.

Although there are no firm figures until the later middle ages, it is fairly secure to say that their populations numbered no more than a very few hundred, at most. And, although the most favoured by Alexander II, Forfar, Stirling and Edinburgh were very small—typical of all Scottish burghs of the time. The townscapes and the lives of the people, which Alexander II witnessed at first hand in these three towns, would have been very similar to those of other burghs of the early thirteenth century.

Edinburgh, Stirling and Forfar owe their origins to royal castles or strongholds, long predating the bestowal of burgh status. Sited on a hill, which at one time may have been an island,²⁶ the fortress at Forfar was in a highly defensible position. The topography of Forfar today is very different from that of the medieval period, when this area was an important landbridge across an otherwise boggy region. Partly encircled by Forfar Loch, Forfar was a superb site for a castle. There is nothing to be seen today, but the re-sited market cross now

²³ *The Charters of King David I*, ed. G.W.S. Barrow (Woodbridge, 1999), 22.

²⁴ *RRS*, ii, 28; G.W.S. Barrow, 'Place-dates of royal charters to 1296: William I (1165–1214)', in *Atlas*, 161.

²⁵ I am indebted to Mr. Alex Woolf for his views.

²⁶ A. Reid, *The Royal Burgh of Forfar. A Local History* (Paisley, 1902), 2.

marks the traditionally supposed site of the castle.²⁷ When the first castle was erected is unclear, although a number of claims are made for a date of at least the eleventh century. By the reign of William I or, possibly, that of Alexander II, it was said to have been 'old'.²⁸ A number of traditions surround the burgh. Malcolm II (1005–4) is said to have granted a charter to the bishop of Mortlach from Forfar in October 1011.²⁹ Malcolm III (Canmore) (1058–93) and his wife, Queen Margaret, are reputedly linked with Forfar.³⁰ The queen had lodgings on a little motte to the west of the castle and came for solitary contemplation to the inch at the north end of Forfar Loch, which before drainage works in the eighteenth century was an island. Whatever the precise truth of these traditions, the presence of a fortified residence of pre-burghal origin is certain.

The present topographies of both Stirling and Edinburgh, unlike Forfar, are still forceful witnesses to the underlying reasons for settlement in these locations. Stirling was an ancient centre of kingly power and a shire capital.³¹ The dramatic, volcanic Castle Rock, still rising abruptly from the flat carselands that surround it on all sides but the south, was a highly defensible place from early, pre-burghal times. Traditionally, the Rock is associated with Eochaid, son of a daughter of Kenneth mac Alpin married to Rhun, king of Strathclyde, who ruled Scotia, north of the Forth, with Giric son of Donald during the period 878–89.³² Whether this is a legitimate association is unclear; but it was certainly here that that Alexander I (1107–24) decided to place one of his strategic castles.³³

Din Eidyn, the volcanic rock on which Edinburgh Castle now stands, supported human occupation as early as a thousand years before the first Roman invasions, by which time it lay within the territory of the Votadini. In c.600, it was the centre of the Gododdin court of the North British kings.³⁴ There was probably continuously

²⁷ *Ordnance Gazetteer of Scotland*, ed. F.H. Groome (Edinburgh, 1886), iii, 36.

²⁸ *Liber Cartarum Prioratus Sancti Andree in Scotia*, ed. O.T. Bruce (Bannatyne Club, 1841), 354.

²⁹ *Early Scottish Charters, prior to 1153*, ed. A.C. Lawrie (Glasgow, 1905), 5.

³⁰ Reid, *Forfar*, 7–8, quoting Hector Boece, 164; 31. W. Macfarlane, *Geographical Collections Relating to Scotland*, 3 vols, ed. A. Mitchell (SHS, 1906–08), ii, 25.

³¹ G.W.S. Barrow, *Kingship and Unity. Scotland 1000–1306* (London, 1981), 87.

³² Duncan, *Scotland*, 91.

³³ Barrow, *Kingship and Unity*, 32.

³⁴ M. Lynch, *Scotland. A New History* (London, 1991), 4.

from this time a fortified stronghold on the rocky crag, for not only was it highly defensible, but it also possessed a further essential attribute for settlement—water. There were at least three springs on the rock and the area leading to it, now the Esplanade, and numerous springs at the foot of Castle Rock or very close to its base.³⁵ Simeon of Durham, writing in c.1112, while assessing the possessions of the bishopric of Lindisfarne in 854, included the church and town of Edwinesburgh, which immediately implies an established settlement.³⁶ By the reign of Malcolm III Edinburgh was a royal residence.³⁷

Fortified residences would have attracted a population, not only because they offered a measure of protection to those clustered nearby, but also a royal presence and attendant court would have meant a demand for supplies and services. It may, therefore, be safely assumed that some form of township existed at Forfar and Stirling, as well as at Edinburgh, before the granting of burghal status in the reign of David I. This would appear to have some archaeological confirmation for all three burghs.

In Forfar, a logboat with a radio-carbon date of A.D. 1090+/-50, provided in 1987, indicates its use in pre-burghal or early burghal times. It seemed to have been scooped out of a single oak tree and was backfilled with stones. The stones were probably to hold the boat under water when not in use to keep the wood supple. A similar boat had been found in Castle Street about a hundred years previously. The water level of Forfar Loch is known to have dropped some six metres in a draining process of the late eighteenth century, so it is quite possible that such boats served as ferry boats to either an early, possibly pre-burghal settlement associated with the castle safely set up on Castle Hill, or to the castle itself.³⁸

Continuous occupation of the Castle Rock of Stirling has tended to destroy very early archaeological elements. The find, probably around 1949, of a Roman coin—a dupondius of Nero—at No. 14 Lower Castlehill, Stirling, at a depth of two feet (66 cm.), now in the

³⁵ S.T. Driscoll & P.A. Yeoman, *Excavations Within Edinburgh Castle in 1988–1991* (Society of Antiquaries of Scotland Monograph Series, no. 12, 1997), 21 & 19.

³⁶ *Registrum Cartarum S. Egidii de Edinburgh* (Bannatyne Club, 1859), p. iv. I am indebted to Mr. Alex Woolf for his views.

³⁷ Ms. Edinburgh Archives, 'Survey of the development of Edinburgh', by M. Wood.

³⁸ E.P. Dennison & R. Coleman, *Historic Forfar; the archaeological implications of development* (Scottish Burgh Survey, 2000), 13.

Hunterian Museum, does suggest an association of the site with the Roman era, although occupation probably long preceded these times.

Likewise, Roman coins in the area of the Old Town of Edinburgh imply a Roman presence, although it is known that they favoured Cramond to the north-west for the building of a fort and port. Artefacts of all periods of prehistory from the vicinity of Edinburgh are certain archaeological indication that the documentary sources are correct when they state that the Castle Rock, at Edinburgh, was occupied from early times. Indeed, with the discovery of deposits at the Castle Rock dating back to the Bronze Age, a recent archaeological assessment concluded that here was 'arguably, the longest continuously occupied site in Scotland'.³⁹

The subsequent development of these three settlements, as with all early burghs, owed much to distinctive geographical and geological features. Forfar was at a major crossroads on the King's Highway, the great road from Perth to Aberdeen, or Scone to Dunottar in a slightly earlier period. Roads intersected here from the west from Perth (later called West High Street), from the south from Dundee (later called St James' Road) and from the east from Brechin, Arbroath and Aberdeen (later East High Street). Stirling was, even more so, the focus of converging routeways that met at the lowest bridging point of the River Forth, so linking the northern reaches of Scotland with the south—'the brooch that [held] together the two parts of the country'.⁴⁰ Edinburgh, equally, was influenced by old routeways. The road from Leith to the wool-producing hinterland traversed the eastern boundary of what was to become the early burgh, and led from there to the ancient Dere Street.⁴¹ A further route from the south, leading from Newbattle, approached the town by the burgh loch (now called the Meadows), followed the line of the present Potterrow and then struck north-westerly to meet a routeway from the west and Linlithgow and Stirling, to enter the town by what became called the West Bow, leading to the top of the High Street.⁴²

³⁹ Driscoll and Yeoman, *Excavations within Edinburgh Castle*, 2.

⁴⁰ R.M. Mitchison, *A History of Scotland* (Edinburgh, 1970), 2.

⁴¹ W. Makey, 'Edinburgh in mid-seventeenth century', in *The Early Modern Town in Scotland*, ed. M. Lynch (London, 1987), 193.

⁴² Duncan, *Scotland*, 466 argues for another route from the south entering the town near the site of the medieval market cross. This was probably a later addition to the townscape.

These ancient routeways and the emerging town plans were determined by natural phenomena. The new burgh of Edinburgh clung to the ridge-tail running eastwards from the craggy rock. To the north was a steep incline to a rivulet, later dammed to become the Nor' Loch and, to the south, the Cowgate valley, which would in due course, after the time of Alexander II, itself become developed. In all probability, the first nucleus of the burgh would have stood at the top of the West Bow, near to the short roadway to the castle, in the area we now know as Lawnmarket, although by the reign of David I it probably stretched down the slope at least past St. Giles Church, which is referred to in one of his charters.⁴³ The granting of rights to establish a burgh to the Abbey of Holyrood, also in this reign, with a delineation of the new burgh as bounded on the west by the burgh of Edinburgh suggests that, even by the early twelfth century, Edinburgh's eastern boundary was fixed, at the site of the Netherbow Port, although this does not necessarily imply that the entire thoroughfare was occupied. In the time of Alexander II, Edinburgh was, thus, as most other early Scottish burghs, of single street plan, largely because of natural geological features. The smallness of the town is apparent as late as 1450, when James II (1437–1460) gave permission to the provost and community of the burgh to 'fosse, bulwark, wall, toure, turate and uther wais to strengthen our forsaid burgh'.⁴⁴ Remnants of the wall indicate that, to the south of the burgh, it ran along a ridge, about half way between the main street (High Street) and the Cowgate, continuing along westwards to Castle Hill, where it joined the castle wall. The boundary of the town to the east was Leith Wynd, where the town abutted on to the burgh of Canongate. To the north, the town's limits were determined by the rivulet.⁴⁵

The burgh that was established beside the rocky crag at Stirling was, likewise, to develop a town plan determined by geology and geography. The town and burgh occupied a good defensive site, with the town growing up on the craggy tail leading down, and confined to, the ridge in a south-easterly direction from the rock and castle.

⁴³ *David I Charters*, 'Lost Acts', no. 256, p. 166; Ms. Edinburgh Archives, 'Edinburgh', by Wood.

⁴⁴ *Charters and Other Documents Relating to the City of Edinburgh, A.D. 1143–1540* (Edinburgh, 1871), no. 30.

⁴⁵ M. Wood, 'Survey of the development of Edinburgh', *Book of the Old Edinburgh Club*, xxxiv (1974), 24.

As in Edinburgh, the town grew to be essentially one street, the High Street or Broad Street, with a Back Row, which would in due course also become developed as a thoroughfare, and Broad Street would be extended with further thoroughfares stretching down the ridge. To the south-west was a steep slope, not suitable for development in the middle ages, but providing a considerable measure of security to the town. To the north and north-east wound the River Forth. This and the marshy lands on the bank offered further protection. It was only to the south-east that the town was vulnerable; and it was here that a town wall would later be constructed. Topography determined that medieval settlement would be confined to the ridge and remain small.

The same was true of Forfar: it was very small. Wood's 1822 Plan of Forfar shows the former extent of Forfar Loch as marked by a series of stones set around what had been its eastern shore. Drainage was under way in 1767 when Lord Strathmore began exploiting the marls from the loch bed for agricultural purposes, although there is evidence of earlier drainage measures. Flowing into the east end of the loch was the Lord Burn, which flows more or less east to west through what is now the centre of the burgh, approximately along the present-day Academy Street and Chapel Street. Cutting across the south-west corner of the market place, now called The Cross, it emptied into Forfar Loch at the west end of present-day Myre Road.

In the early burgh, much of the land to the north of the Lord Burn, at its west end, and to the west of the castle was probably too marshy for settlement, although there is a ridge of slightly higher ground, and it is here that the royal residence, the 'Queens Manor', and another manor are thought to have stood. There is no evidence that the early burgh settled on this ridge. The township would develop a little further south on firmer ground, probably being delineated on its south at the east end of settlement by the Lord Burn. As with Edinburgh, the basic street pattern was determined by geographical and geological features. Forfar was essentially a single street burgh, with one small variant. Unlike Edinburgh and Stirling, with their castles sited to the west of the west-east main street, Forfar's castle stood north of the High Street. Access to the castle was essential. As a result, a further pathway, leading from Forfar's High Street, formed a T-junction with the main thoroughfare.

In many burghs, there was a quite deliberate planning of streets and burgage plots, often respecting natural features such as rivers,

marshes and hills, as can be seen in Edinburgh, Stirling and Forfar. St Andrews (founded 1124 × 1144 by Robert, bishop of St Andrews) was laid out by Mainard the Fleming, who had probably planned Berwick-on-Tweed, and Glasgow (founded 1175 × 1178 by the Bishop of Glasgow) by Ranulf of Haddington, to precise plans, both men specifically introduced for this task.⁴⁶ Early urban land use has been evidenced by archaeological research in Perth, St Andrews and Aberdeen; and, reinforced with documentary and cartographic information, it may be concluded that a high degree of precision went not only into the initial dividing up of available street frontage, but also into the subsequent maintenance of these delineations.

The formal laying out of the township into tofts or burgage plots, on which the burgesses were to build their homes, resulted in plots running back in herring-bone pattern from the street frontage. The laying out of the new burgh of Forfar was certainly effected in the first years of the burgh's life, as there is early evidence of the granting out of tofts to favoured subjects. In 1153 × 1162, the monks of Coupar Angus were granted a toft in the town; as was Bishop Jocelin of Glasgow in 1187 × 1199; and Lindores Abbey by 1195.⁴⁷ The holding of tofts in the town by other important personages is further indication that the burgh was considered one of note. In 1189 × 1199, for example, Hugh, the chancellor of the King of Scots, granted his toft to the Church of St Thomas the Martyr in Arbroath, although he retained at least another toft in the town; and the Bishop of Caithness held a toft here before 1204 × 1214.⁴⁸ William Comyn was certainly sheriff of Forfar by the year before Alexander II's succession; and may have been so from c.1190. Between c.1180 and c.1211 he witnessed twenty-six charters from Forfar, Arbroath and Montrose, the vast majority originating from Forfar.⁴⁹ He, too, would have been resident in the town, probably in the castle. Whether he had a personal property here is unclear.

The alignment of the first burgage plots in Forfar is not totally certain; but all the evidence suggests that they would have been laid

⁴⁶ Lawrie, *ESC*, no. 169; *Charters and Other Documents Relating to the City of Glasgow* (Glasgow, 1894–97), i, pt. ii, 5.

⁴⁷ A.A.M. Duncan in Pryde, *Burghs*, 13.

⁴⁸ *Liber Sancti Thome de Aberbrothoc*, edd C. Innes and P. Chalmers, 2 vols, (Bannatyne Club, 1848), i, 53, 7, 13.

⁴⁹ A. Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997), 20.

out on the main street which ran east to west, clustered near to the market cross. It is, however, possible that there was sufficient dry land to place tofts at the south end of the pathway leading to the castle. It is doubtful whether they stretched far up the pathway, later called Castle Street, as the area would have been increasingly waterlogged. Some of the present properties on the west side of Castle Street have still, it is said, fishing rights associated with the end of the plots.⁵⁰

Edinburgh, too, had its burgage plots running in a herring-bone pattern back from the High Street. And it is known from documentary evidence that these were already laid out in the reign of David I.⁵¹ Those to the north abutted on to the rivulet running west to east, which was later dammed, with other burns, to form the Nor' Loch. It is not certain whether those to the south ran merely to the ridge half way between the High Street and the later-named Cowgate, or right down to the Cowgate and the burn which ran at the north end of this valley, itself. Archaeological evidence has shown that the burgage plots of neighbouring Canongate ran the full length from the street frontage to 'the Strand', that is the extension of the putative back lane that became called Cowgate.⁵² Edinburgh may have adopted the same practice. Archaeological evidence suggests that the average width of a plot along this main thoroughfare in Edinburgh was twenty-five feet,⁵³ which accords more or less with other early burghs; Perth, for example, was estimated to be twenty feet,⁵⁴ Dunfermline twenty-two and a half feet,⁵⁵ with a variant of twenty feet and nine inches and twenty-five feet, and Dundee twenty and a half feet, with a variant up to twenty-five feet.⁵⁶

It is clear that Stirling was formally laid out in burgage plots early in the burgh's life. David I granted a charter in favour of Dunfermline Abbey. As well as the donation of 'two churches and a carucate of

⁵⁰ Dennison and Coleman, *Historic Forfar*, 16, 20, 41.

⁵¹ *Edinburgh Charters*, no. i; *David I Charters*, no. 147, pp. 122–25.

⁵² Report on excavations at new Parliament of Scotland, forthcoming.

⁵³ J. Schofield, 'Excavations south of Edinburgh High Street, 1973–74', *PSAS*, 107 (1975–76), 168.

⁵⁴ M. Spearman, 'The medieval townscape of Perth', in *Scottish Medieval Town*, 55–56.

⁵⁵ R.J.D. Torrie, 'Central Dunfermline: an analysis of the 1988 road network and the geographical factors that determined its layout' (unpublished typescript, 1988), 40–41.

⁵⁶ E.P.D. Torrie, *Medieval Dundee. A Town and its People* (Dundee, 1990), 52–53.

land', he bestowed two tofts.⁵⁷ Lining Broad Street, many of these early burgage plots were the original rood size.

Initially, the possession of a 'biggit' or built burgage plot or toft was one of the essential qualifications for burgess-ship,⁵⁸ and the new burgess was granted a length of time, a year and a day—the 'kirseth'—to build his dwelling. The majority of dwellings would have been simple, hut-like structures, probably made of stakes and inter-woven wattle, or wood, with either free-standing posts to support the walls, or, in some cases, set in to a wooden ground sill. Roofs were thatched with cut heather or possibly turves of growing plants that offered water resistance. In 1236, Alexander II gave the burgesses of Ayr the right to gather wood from the countryside to build their houses.⁵⁹ The fact that Forfar was almost totally destroyed in 1244, by accidental fire, would suggest that building materials were predominantly wood and thatch.⁶⁰ The first firm documentary evidence for stone dwelling houses comes as late as the fourteenth century—three in Ayr, one in Edinburgh and one in Aberdeen.⁶¹ Reference to a suspect bull, purported to be that of Pope Celestine III, refers to a stone dwelling in Perth in 1198, but this is in all probability a later forged or tampered-with translation.⁶² Stone dwellings (as opposed to castles) were very rare, if not unknown, at the time of Alexander II.

The houses of the burgesses were usually set at the frontages of the burgage plots, each in the twelfth to fourteenth centuries normally housing only a single tenement, with a long garden at the rear. Each plot was delineated from its neighbours either by primitive wattle fencing or small gulleys. In the time of Alexander II, the backlands of the tofts would have housed middens, wells and out-houses, as well as being used for vegetable growing and as space for animal rearing.

One of the most important communal features on the early townscape was the market place with its market cross. In Forfar, the market cross probably stood in its late medieval position, to the north of the High Street, in the open space at the foot of the pathway

⁵⁷ *Charters and Other Documents Relating to the Royal Burgh of Stirling, 1124–1705*, ed. R. Renwick (Glasgow, 1894), 1–2.

⁵⁸ *Articuli Inquirendi in Itinere Camerarii*, c. xxxvi; c. lxiii, in *Ancient Burgh Laws*.

⁵⁹ E. Ewan, *Townlife in Fourteenth-Century Scotland* (Edinburgh, 1990), 15.

⁶⁰ *Gazetteer*, iii, 36.

⁶¹ Ewan, *Townlife*, 17.

⁶² *Charters of the Abbey of Coupar Angus*, ed. D.E. Easson (SHS, 1947), i, 29 & 33.

leading north to the castle, now called The Cross. Reference is made to Forfar's market place as early as 1230, when an unfortunate infant of the rebel 'race of mac William' was struck against the shaft of the market cross, in the market place.⁶³ The medieval market was held on a Sunday;⁶⁴ and all within the hinterland of Forfar were obliged to attend this market for the sale of goods.

Edinburgh's market became a linear market space, just as would have been found in medieval Dunfermline or Kirkcaldy.⁶⁵ It was perhaps so from first burghal days, there being little open space for the holding of a market along the length of the Lawnmarket. There is a narrowing at the neck of Lawnmarket, where the West Bow meets Lawnmarket and the pathway to the castle. If originally larger, this area could possibly have been a logical site for a market, close to the castle and to one of the main entrances to the town. Stirling, on the other hand, as the name Broad Street implies, had a large open street. This would become the focal point of burgh life and house the market cross and tolbooth throughout the medieval period.

Drawing the people from the surrounding countryside, as well as the townsfolk, market days were noisy, busy and hectic. The market place was lined with the booths of the merchants; and hawkers and pedlars also set up their stalls. All sorts of commodities were bought and sold—fish and meat, home grown produce, ale, wine, eggs, butter and gathered fruits, as well as the products of the local craftsmen, such as leather shoes and jackets, bone combs and tools, wooden stools and, sometimes, imported luxuries such as spices, exotic fruits and fine materials. The sense of bustle and noise was intensified by the bellowing and clucking of animals brought for sale, the jostle of traders, purchasers, children and scavenging dogs, hens and pigs.

There is no evidence that any of these three towns was walled, in the real sense of the word, at the time of Alexander II. Scottish medieval towns were not surrounded with strong stone walls but, at most, by ditching and wooden palisading. There was almost certainly a ditch to the south end of the High Street of Edinburgh from

⁶³ *Chronicon de Lanercost* (Maitland Club, 1839), 41. There is no mention that the pillar of the cross was of stone, as has been suggested (Duncan, *Scotland*, 546).

⁶⁴ *APS*, iv, 39.

⁶⁵ E.P.D. Torrie, 'The guild in fifteenth-century Dunfermline', in *Scottish Medieval Town*, 250; E.P.D. Torrie and R. Coleman, *Historic Kirkcaldy: the archaeological implications of development* (Scottish Burgh Survey, 1995), 44.

early days. The twelfth-century ditch of neighbouring Canongate has been evidenced archaeologically during excavations at the new parliament site.⁶⁶ The backlands of the tofts may well have been so protected at their 'heid dykes' along with fencing, perhaps punctuated with small gates giving burgesses access into the town crofts and pasturage beyond. The tofts to the north of the main streets of both Edinburgh and Forfar and to the south-west in Stirling probably needed no such defence, and, in consequence, no such gates, fronting as they did on to a rivulet, in the case of Edinburgh, marshy ground in Forfar and, in Stirling, a steep slope, all natural defensive features.

Official access to and egress from Scottish burghs was through the town gates, or ports. From later evidence, it appears that Forfar had only two ports, one at the east end of the High Street and the other at the west. Presumably, there was little need for such a structure on the pathway leading north to the castle, as the castle would, in itself, have afforded protection. There are still evident in the town plan marked kinks—in the alignments of Castle Street and East High Street. These may indicate stages of growth in the development of the medieval town. The most noticeable is at the junction of Castle Street and Manor Street, which may indicate both the northern end of settlement and the southern boundary of the enclosure around the castle or royal manor. Similarly, the kinks in the alignment of East High Street, near Green Street and further east at Queen Street, may also mark extensions to the burgh.⁶⁷

There is a twelfth-century reference to a 'south port' of Edinburgh. This may have stood at the top of the West Bow, flanking the access both from the south and west of the town. Certainly, by the time of the building of James II's protective defences, there was a port half way up the West Bow.⁶⁸ Whether this was one and the same as the 'west gate' mentioned in a property transaction of c.1160/1180 is unclear.⁶⁹ There would also have been an early east port. Whether this initially was as far east as the road from Leith and the junction with the burgh of Canongate, or further west, at the end of early settlement, is not clear. Early burghs, such as Glasgow, moved their ports on a number of occasions to accommodate the growing pop-

⁶⁶ Report on excavations at the site of the new Parliament of Scotland, forthcoming.

⁶⁷ Dennison & Coleman, *Historic Forfar*.

⁶⁸ Wood, *Edinburgh*, 24.

⁶⁹ RCAHMS, *Edinburgh Inventory* (1951), pp. lxii–lxiv.

ulation;⁷⁰ but David I's delineation of the western limit of Canongate being Edinburgh might just imply an east port at the point where the two jurisdictions met, the site of the later Netherbow Port.

It is uncertain where the ports of Stirling stood in the time of Alexander II. By the end of the middle ages, there were five ports, but these were probably not on the site of the early entrances—as in other towns, as the burgh expanded in size, so the ports were relocated to enclose the extending townscape. The focal point of the burgh being Broad Street, it is quite possible that early ports enclosed this area, with a port at the foot of Bow Street/Back Row and at the end of the burgage plots on the north side of the town at St. Mary's Wynd.

Ports were not intended to be truly defensible; they were mere wooden barresses that served rather as psychological barriers between town and country. They offered useful collection points for the tolls paid to use the burgh market and enclosed the town at night during curfew at dusk until first light, or when danger threatened.

Most early burghs also had ecclesiastical foundations dominating the townscape. These, by the early thirteenth century, would be amongst the few stone structures in the burgh. The parish church of St Giles, in Edinburgh, is first firmly documented *c.*1200, although it may have been of earlier date, superseding the earlier parish church of St Cuthbert 'under the castle' and a royal chapel in the castle.⁷¹ Indeed, David I's grant of the grange of St Giles to Holm Cultram might imply its existence already by this reign.⁷² Alexander II himself granted land, on which the king's manor was situated, to the south of Canongate, to found a Dominican friary, some time around 1230.⁷³

Alexander II founded a Dominican Friary in Stirling also, at an unknown date.⁷⁴ They held lands to the east of the burgh, outside urban settlement, but with close links with the town. In the reign of Alexander I a chapel had been founded, probably one with close associations with the castle. A second had been built by the reign of David I, as two churches, including the parish church of the Holy

⁷⁰ S. Stevenson & E.P.D. Torrie, *Historic Glasgow: the archaeological implications of development* (Scottish Burgh Survey, 1990), ii, 15–16.

⁷¹ Duncan, *Scotland*, 466.

⁷² Ms, Edinburgh Archives, 'Edinburgh' by Wood.

⁷³ I.B. Cowan & D. Easson, *Medieval Religious Houses* (London, 1976), 116.

⁷⁴ *Ibid.*, 121.

Rude, were granted to the abbey of Dunfermline by David I. It is safe to assume that the parish church stood on the site of the present, partially medieval, church, to the west of Broad Street.

A chapel was dedicated to St James the Great in Forfar, in 1241, by the Bishop of St Andrews, David de Bernham. It was attached to the Augustinian priory at Restenneth, the church of which functioned as Forfar's parish church throughout the middle ages.⁷⁵ It is believed that the chapel stood on the site of the present old parish church, south of East High Street.⁷⁶ There is an unproven tradition that there was also a chapel at the royal manor, dedicated to St Marie. Whether this stood on the site now called the Queen's Manor or, indeed, whether it ever actually existed is unclear. A short distance to the south of the town stood the Chapel of St Boniface. Little is known of its history and connections with the town, although its foundations were still visible in the early nineteenth century.⁷⁷ A further chapel was sited on the Inch in Forfar Loch. Whether or not this site had been frequented by Queen Margaret and later queens, by 1234, Alexander II granted ten pounds revenue yearly from the lands of Glenisla to the monastery of Coupar Angus. Of this, ten marks were to go to the support of two Cistercian monks who were perpetually to celebrate divine service in the Chapel of the Holy Trinity on the island in the Loch of Forfar.⁷⁸

Burghs were significant features on the landscape. Their market crosses, ecclesiastical foundations, ditches and palisading, and also their rules, regulations and lifestyles set them apart from their rural neighbours. Living, as he did, in close proximity to burghs, Alexander II would have understood that, although small, they were already a significant institution in Scotland.

That Alexander II intended to consolidate his father's policy towards burghs is suggested by a number of confirmations of existing charters and privileges. In 1215 × 1225, for example, Aberdeen received confirmation of all rights as possessed by the burgh of Perth.⁷⁹ 1215 ×

⁷⁵ I.B. Cowan (ed.), *The Medieval Parishes of Scotland* (SRS, 1967), 68.

⁷⁶ Reid, *Forfar*, 129.

⁷⁷ J.D.D. Jamieson, 'An account of some remains of antiquity in Forfarshire', *Transactions of the Society of Antiquaries of Scotland* (Edinburgh, 1818), ii, 23.

⁷⁸ Reid, *Forfar*, 35.

⁷⁹ *Charters and other Writs Illustrating the History of the Royal Burgh of Aberdeen*, ed. P.J. Anderson (Aberdeen, 1890), 5–8.

1229 saw the confirmation to Walter, bishop of Glasgow of the grant made by King William to Bishop Jocelyn of the right to hold an annual fair at Glasgow;⁸⁰ and in the same period, probably 1224, the burgh's market on Thursday and all burghal rights were confirmed.⁸¹ The burgh of Inverkeithing was also favoured: the grant made by King William to the burgh of the lands of 'Cruke', to the south of the town, in return for a rent of half a merk of silver annually, was confirmed.⁸² In 1223, Alexander II confirmed his father's grants to Ayr of certain lands and market privileges.⁸³ Such confirmations were clearly of benefit to the burghs concerned; why it was necessary to have such recently bestowed rights acknowledged by the crown is less obvious. It is unlikely that original charters had merely been lost in the previous few decades. It has been convincingly argued for Berwick that it received communal privileges from Alexander II in 1235 in exchange for a substantial financial inducement.⁸⁴ Perhaps these confirmations were also financial transactions? Alexander II had firm political pretensions, which required strong financial backing. The evidence does not exist, but it may well have been that he astutely recognised the economic potential of his burghs; and cash settlements may have eased the confirmation of burghal privileges.

Alexander II's dealings with the burghs went further than asserting the *status quo*. Bishop Walter and the church of Glasgow, for example, received protection from the encroachments of the nearby royal burgh of Rutherglen, when King Alexander guaranteed them that the provost, bailies and sergeants of Rutherglen were to be forbidden from taking toll or custom within Glasgow's hinterland.⁸⁵ This was an interesting favouring of a non-royal burgh as opposed to a nearby royal foundation; it might, on the surface, suggest that the king's motivations in protecting burghal privileges were not rooted solely in economic self-interest. But was there, also, in this case a financial inducement? Extant evidence does not tell us. In 1235, he granted the burgesses of Glasgow an even greater privilege—the right to market without payment of toll throughout his kingdom.⁸⁶ And,

⁸⁰ *Glasgow Charters*, ii, 7.

⁸¹ *Ibid.*, ii, 8.

⁸² Municipal Corporations Report (Scotland), XXIII, Report 1835/36, App. 8.

⁸³ *Charters of the Royal Burgh of Ayr* (Edinburgh, 1883), 6–7.

⁸⁴ Duncan, *Scotland*, 495.

⁸⁵ *Glasgow Charters*, ii, 12.

⁸⁶ *Ibid.*, ii, 13.

in 1242, William, bishop of Glasgow was, further, given royal protection and freedom for his men throughout the vast area of all of Argyll and Lennox.⁸⁷

Alexander II's reign also saw a significant extension of Aberdeen's trading rights. Already, some time between 1187 and 1203, Aberdeen burgesses had been freed from the payment of tolls on their goods throughout the entire kingdom. In 1222, a weekly market, to be held on a Sunday, was established; and the market in woollen cloth was specifically reserved to the burgesses of Aberdeen, other than between Ascension Day and Lammas, that is the summer months.⁸⁸ This was an important concession for Aberdeen, as its market became the commercial focus for the surrounding fertile lands. Not only did the burgh benefit from the produce—such as corn, barley, malt, fish and cattle—brought in to its market and the consequent payment of tolls for the privilege; but the neighbouring villages and agricultural settlements became, in their turn, customers for the surplus and manufactured goods of the town's craftsmen. Particularly important was the breadth of this royal concession: Aberdeen was granted the entire sheriffdom of Aberdeen as its trading liberty, a vast territorial hinterland.⁸⁹ In 1223, the burgesses of Inverkeithing were given the right to collect market tolls throughout the extensive area stretching from the River Leven to the River Devon, again a significant grant, offering huge economic potential, which would benefit both the burgh and its overlord—Alexander II.⁹⁰

Two further royal burghs also received extensive economic privileges. Stirling received a grant of the royal peace, in 1226, which provided protection by royal officers for the burgesses of Stirling of their rights and holdings, and the right to hold a market;⁹¹ and a year later, the burgh was granted exemption from payment of tolls throughout the kingdom.⁹² Three weeks later, on 10 August 1227, the same far-reaching privilege, of exemption from tolls throughout the kingdom, was granted to Lanark.⁹³ Irvine was also to receive a similar concession by charter from Alexander II, although the date

⁸⁷ *Ibid.*, ii, 14.

⁸⁸ *Aberdeen. Charters*, iii, 5–8.

⁸⁹ *Ibid.*, no. 3.

⁹⁰ Municipal Corporations Report (Scotland), XXIII, Report 1835/36, App. 8.

⁹¹ *RMS*, ix, no. 1028.

⁹² *Ibid.*, ix, no. 1028.

⁹³ *RMS*, iii, no. 2308.

is unknown.⁹⁴ Interestingly, this was an honour bestowed on a non-royal burgh, possibly one dependent on Alan, lord of Galloway.⁹⁵ As the date of this concession is not known it is not possible to ascertain whether this was an honour granted in the time of Alan of Galloway. It may have been an assertion of royal rights over the burgh, perhaps soon after the death of Alan of Galloway in 1234.⁹⁶ Elgin, also, received an important concession, a rare burghal privilege—the grant of a right to a guild.⁹⁷ This important honour was also granted to the favoured burgh of Stirling in 1226.⁹⁸

Lesser grants also indicate a two-way relationship between Alexander II and the burghs. Ayr, for example, in 1235, was given all the royal fishings in the Rivers Ayr and Doon, a useful acquisition,⁹⁹ and, a year later, five pennyworths of land in Kyle (Alloway, Corton and Carlucie) were granted to the burgh in feu-ferme.¹⁰⁰ Elgin also benefited from the bestowal of Mostowie.¹⁰¹ And, in 1236, Inverness received land in Markinch for an annual rent of 116 peppercorns.¹⁰²

Although showing clear support for burghs and their economic potential, this reign showed little of the scale of interest in burghs and burghal trading displayed in that of William I.¹⁰³ But the extant acts do suggest that Alexander II was aware of the potential power vested in burghs. It was a power that he turned to his own political advantage.

Control of the west and the assertion of royal authority in Galloway, Argyll and the Isles were paramount in Alexander II's push to gain control throughout Scotland. It is also significant that the king spent more of his time in Moray, in an attempt to solve the problems of the northern Highlands, than had his father, uncle or great-grandfather.¹⁰⁴ In pursuing these territorial aims, however, Alexander II

⁹⁴ *RMS*, ii, App. 1, no. 62.

⁹⁵ Pryde, *Burghs*, 41.

⁹⁶ I have benefitted from discussion with Keith Stringer on this point.

⁹⁷ L. Shaw, *The History of the Province of Moray* (Edinburgh, 1775), 193. This is a grant apparently not noted elsewhere; but Shaw maintained that he had access to burghal records, which are now presumably no longer extant.

⁹⁸ E.P. Dennison, 'Burghs with gilds merchant', in P.G.B. McNeill and H.L. MacQueen (eds), *Atlas of Scottish History to 1707* (Edinburgh, 1996), 215.

⁹⁹ *Ayr Burgh Charters* (Ayrshire & Wigtonshire Archaeological Association, 1883), 14.

¹⁰⁰ *Ibid.*, 9–10.

¹⁰¹ Shaw, *Moray*, 67.

¹⁰² *RMS*, ii, no. 804.

¹⁰³ *RRS*, ii, 16–17.

¹⁰⁴ G.W.S. Barrow, *Kingship and Unity. Scotland 1000–1306* (Edinburgh, 1981), 148.

used a tactic that had been followed successfully by his father and great-grandfather—the planting of burghs.

Alexander II established only two burghs, or just possibly three, if Auchterader, first documented in 1246, was his foundation.¹⁰⁵ The other two burghs were Dumbarton and Dingwall, founded in 1222 and 1227 respectively.¹⁰⁶ They had one thing in common—they were at the extremity of secure royal control. There was nothing new in planting burghs as outposts of royal power with an associated castle. Elgin, Nairn, Forres and Inverness were established in such a role in Moray in the twelfth century and Ayr was founded on the west coast in 1203 × 1205, probably with an element of a defensive role.

What needs to be questioned are Alexander II's intentions in founding only two burghs; and at such peripheral sites. His treatment of the burgh of Glasgow, discussed above, holds a very strong clue. Here was a man who was prepared to support the claims of a non-royal burgh against those of a royal foundation; and to the burgesses of this non-royal burgh he would in due course, in 1242, give royal protection and freedom throughout all of Argyll and Lennox, a vast and ill-disciplined area. This was a king who was not interested in the founding and nurturing of burghs *per se*, but in the extension of his political power. Dumbarton and Dingwall were but pawns in this policy.

The essence of burghal life was trade. These two were sited in highly unsuitable locations to become the foci of mercantile hinterlands. But this was not to be their major role. They were frontier plantations, whose function was to assist the programme of royal assertion of power—the king had, for example, been campaigning in Argyll in 1221/22—in the outer reaches of the kingdom. And they were plantations in the literal sense.

In general, very few burghs were founded on greenfield sites. There was usually some pre-urban nucleus that would have attracted settlement nearby, whether a natural or a man-made phenomenon. Fording places, sheltered coves for harbours and naturally defensive spots encouraged settlement nearby; trading routes and crossing points

¹⁰⁵ Pryde, *Burghs*, 18. Cromarty is first documented in 1264 (Pryde, *Burghs*, 19); but it has been argued that it was established before 1214 (A.A.M. Duncan, 'Burghs in existence by 1300', in *Atlas*, 198). It is, therefore, unlikely to have been a fourth candidate for the granting of burghal status in the reign of Alexander II.

¹⁰⁶ Pryde, *Burghs*, 17–18.

likewise; and fortified buildings, and sacred spots with shrines and ecclesiastical associations, all attracted a related lay community. Dingwall and Dumbarton were not unusual in this.

Neolithic finds in the vicinity of Dingwall; a logboat, of unknown date, found in 1874, as a result of the changing of course of the River Conon at Dingwall; and a Pictish symbol stone discovered in 1880 in use as a lintel stone in the parish church all suggest occupation in the vicinity of the town from an early period.¹⁰⁷ Dingwall may have had Scandinavian origins. Its name means 'field of the Thing', from the Norse 'ting'—general court of justice—and 'vollr'—a meadow or field.¹⁰⁸ Some argue that it was the seat of Thorfinn, earl of Caithness, whose widow, Ingiborg, married Malcolm III (1057–93).¹⁰⁹ Whether there was a castle or fortified place here at this time is uncertain, although it is claimed to be so by some. Others believe that a castle was built at the time of the granting of burghal status.¹¹⁰ It is quite possible that the spot was already fortified and that a more substantial castle was erected concomitant with the founding of the new burgh. This was probably essential, given its location at the outer reaches of royal power. That it existed by the mid thirteenth century is certain—it appears on Matthew Paris's map as 'castrum dinkeual'. Given this pre-burghal history, there was, in all probability, an existing settlement, albeit very slight, in the general area of Dingwall.

The same is most certainly true of the vicinity of Dumbarton. Prehistoric stone tools, probably of Neolithic date, have been found near the town, with one coming from the town site itself. Inter-tidal archaeology has revealed the surviving foundations of a later prehistoric structure, built around the end of the first century B.C., according to radio-carbon dating, in the mudflats near Dumbarton, about 50 m. from the present high water mark of Dumbuck. In the early historic period, the area was home to the Britons, who had their capital on Dumbarton Rock. Known as 'Alt Clut' or 'Ailcluaiithe'

¹⁰⁷ A.T. Simpson and S Stevenson, *Historic Dingwall; the archaeological implications of development* (Scottish Burgh Survey, 1982), 11–12.

¹⁰⁸ W.H.F. Nicolaisen, *Scottish Place-names; their study and significance* (London, 1976), 119.

¹⁰⁹ N. Macrae, *The Romance of a Royal Burgh: Dingwall's Story of a Thousand Years* (Wakefield, 1974), 18–26 & 27.

¹¹⁰ *Ibid.*, 6.

to the neighbouring Gaelic-speaking people of Dalriada, it was called 'Dun Breattan', from which the name Dumbarton comes, by the 'Albanians' from the tenth century. The final blow to this stronghold came in A.D. 870, when it was taken by the Norse. Archaeological research has shown that the eastern of the two peaks of the Rock had offered a level summit and a series of lower terraces suitable for settlement; on the flats, at the foot of the rock, beside both the Clyde and the Leven, there may have been beaching facilities. It is also possible that occupation of the Rock did not cease in 870: fragments of two recumbent cross-slabs of tenth-century date have been discovered on the lower slopes of the Rock.¹¹¹

Why, then, is it justifiable, if there is known pre-burghal settlement at these two spots, to speak of the new burghs as plantations? To attract newcomers to a burgh, at its foundation, and to allow indigenous people adequate time to build and establish their burghage plots, a period of one year and a day's grace was given rent free—the 'kirseth'. To get Dumbarton off the ground as a functioning burgh, Alexander II had to offer five years of kirseth; and, even more telling, for Dingwall, he offered ten. This suggests that great incentives were needed to attract people from a distance to relocate to these outer reaches.

It was not merely the fact that these two putative burghs were outposts, in both the political and economic sense, that was discouraging to potential settlers; but they were also geographically and topographically not entirely suitable as urban settlement sites. Dingwall was set in swampy marshland; but of not such a water-logged condition that it was impossible to build. The small town that did eventually emerge from such unpropitious beginnings was of one-street plan, just like the towns of Edinburgh, Stirling and Forfar, known so well to the king. Lack of documentary references to Dingwall throughout the middle ages tends to suggest that it was not a particularly active or important burgh. But it did survive; and many early burghs failed. Moreover, many other burghs, which went on to dominate the urban scene, were not ideally sited. Edinburgh must have been one of the most unwelcoming places for first burgesses and indwellers; to this day the wind hurls itself down from the Castle

¹¹¹ E.P. Dennison and R. Coleman, *Historic Dumbarton; the archaeological implications of development* (Scottish Burgh Survey, 1999), 9–11.

Rock, and has been known, in 1778, to whip the entire Leith Guard down the esplanade and into the town below, to their severe hurt.¹¹² How much less protection the first urban residents of Edinburgh had, without the later enclosing stone tenements of the High Street.

Equally, it would be unfair to single out Alexander II as an incompetent site surveyor. His father, after the successful attack on his castle and burgh of Auldearn in 1187 by the meic Uilleim, appears to have deliberately abandoned Auldearn and established a new burgh—Invernairn (Nairn)—three miles further west. The River Nairn, on the banks of which he founded his burgh, was to prove to be not an ally to the new burgh, but a constant antagonist. It was not effectively contained until 1820–25, with the advanced techniques of Telford; and even after this the great flood of 1929 undermined the harbour, swept away the bulwark and shifted the land yet again. But until this time, from the founding of the burgh, the people of Nairn waged a constant battle, both in terms of finances and physical effort, to tame the river.¹¹³

Alexander II was, then, doing no more and no less than his predecessors in choosing sites to found burghs that were politically important for the crown, but were to cause centuries of struggle and heartache for the burgesses. Dumbarton was a prime example. Granted burghal status in 1222, Dumbarton was endowed with ample privileges to ensure its functioning as an economically viable unit. In its burgh charter,¹¹⁴ Dumbarton was given all the liberties enjoyed by the king's burgesses of Edinburgh, the right to hold a weekly market on a Wednesday and freedom from payment of toll throughout the country. A year later, a further concession was bestowed: parts of the land of Morvaich (Murroch), roughly equivalent to the extent of the present parish of Dumbarton, were given for the common good. And, in 1226, the burgesses of Dumbarton were granted the right to hold an annual fair, of eight days' duration on the Feast of the Nativity of St John the Baptist (24 June);¹¹⁵ and further concessions

¹¹² C. McKean, 'The weather-protected city', in *Conservation and Change in Historic Towns*, ed. E.P. Dennison (York, 1999) 24.

¹¹³ E.P. Dennison and R. Coleman, *Historic Nairn; the archaeological implications of development* (Scottish Burgh Survey, 1999) 26–27; 34–35.

¹¹⁴ DBA, Ms 1/3/1. Copy of charter of King Alexander II, dated 1222, probably made at end of fourteenth century.

¹¹⁵ J. Irving, *The History of Dumbartonshire* (Dumbarton, 1860), 46.

followed in 1230.¹¹⁶ The burgh was also given an extensive rural hinterland, over which it would have the monopoly of trade: all the inhabitants of the Lennox, as far east as Garscube (now part of Glasgow) and as far west as the head of Loch Fyne were to be permitted to trade only with burgesses of Dumbarton. The Dumbarton burgesses were also entitled to levy tolls and customs on the Clyde between the head of Loch Long and the Water of Kelvin.¹¹⁷ To reinforce these mercantile privileges and supervise the town's trading rights and monopolies, Dumbarton was permitted, in 1222, to have a guild merchant, one of the earliest in Scotland.¹¹⁸

What the first Dumbarton burgesses were not given, however, was a decent settlement site. The town was to be established within a loop of the River Leven, surrounded at high tide by water on all sides, other than to the east; and even to the east it was bordered by a burn—the Knowle Burn. This offered a highly defensible site, which was good. What was less appealing was that the site, surrounded as it was by water, was to be under constant threat of submerging. Whether there was settlement here, on the site of the town itself as opposed to the rock, before foundation as a burgh is unclear, but unlikely. Certainly, a castle would have needed the services and supplies of a nearby population; but, in all probability, any early settlement would originally have clustered on, or very near to the secure Castle Rock. The Rock, however, was surrounded by water at high tides throughout the middle ages, so early settlement was probably on the Rock itself or immediately at its base, above high watermark. There are specific references to the 'sands' on the north side of the castle, which imply unsuitability for building.¹¹⁹ By deduction, it seems likely that the new burgh of Dumbarton was on a greenfield site, a very rare occurrence.

How many came to settle this new burgh is uncertain, as is their provenance. Possibly some came from far afield, as well as from the locality: one of the earliest known burgesses, William Fleming, was probably of Flemish origin,¹²⁰ as were many burgesses in other newly founded burghs. So Alexander II's offer of five years' kirseth was

¹¹⁶ Pryde, *Burghs*, 17.

¹¹⁷ I.M.M. MacPhail, *Dumbarton Through The Centuries* (Dumbarton, 1972), 5.

¹¹⁸ E.P. Dennison, 'Guilds merchant established by 1550', in *Atlas*, 215.

¹¹⁹ NAS, GD 124/1/424.

¹²⁰ MacPhail, *Dumbarton*, 5.

successful to some extent. In all probability, when the burgh was founded, a main street was formally laid out, with burgage plots running, in herring-bone pattern, back from the street frontage, as in Forfar, Stirling and Edinburgh. It is safe to assume that this main street followed very much the line of the present and medieval High Street; and it may be guessed that the plots, or tofts, to the south of the High Street would have been the most popular, giving access as they did to the River Leven for water supply, fishing and berthing boats. It was probably here that the monks of Newbattle held their toft, a gift from the crown.¹²¹ Access to this water supply was important, as there were no wells in the town in the middle ages, the nearest being on the west side of the Leven at Cardross—another vast geographical disadvantage—although the Knowle Burn would supply water. If the early burgh had ports at all, they were probably on the sites of known later ports. By the seventeenth century, one was sited at the bridge crossing the Knowle Burn.¹²² The other entry point was at the ferry crossing, entering Dumbarton from Cardross, on the left bank of the Leven. Significantly, both controlled water crossings to the burgh.

Just as William I's burgh of Nairn, so, also, Dumbarton would fight a constant, and often losing, battle against water until very modern times. The River Leven is tidal to approximately two miles above the town. A high spring tide, allied to spate conditions from melting snow from the Highland hills, invariably meant floods. The north part of the town was particularly vulnerable. The townspeople, however, were aware of the potential of harnessed water power: as early as 1237, William Bisset, the sheriff of Dumbarton, and the bailies were granted the right by Alexander II to divert water from the River Leven by a channel to run the town mill.¹²³ But the water was not always readily tamed.

Dumbarton's struggles over the next centuries are testament not only to the determination of the townspeople to preserve their burgh, but also to the unsuitability of this site for urban settlement. The problem would be to some extent contained by Robert Maxwell of Pollok, the provost of Dumbarton's collegiate church from 1523 to

¹²¹ C. Innes *et al.* (edd.), *Origines Parochiales Scotiae* (Bannatyne Club, 1850–55), i, 24.

¹²² *Dumbarton Common Good Accounts, 1614–1660*, edd. F. Roberts & I.M.M. MacPhail (Dumbarton, 1972), 97.

¹²³ *Registrum Monasterii de Passelet* (Maitland Club, 1832), 218.

1541, when he had constructed a dyke to hold back the water and had a channel deepened to control the flow. This became known as the Bishop's cast or water-gang. The Reformation, however, brought some destruction to the collegiate church, which was abandoned. Quite probably the water-gang fell into disrepair; and sometime around 1580 the river burst its banks, flooding the north of the town.

By 1600, it was claimed that sixty acres had already been lost and it was believed that the burgh was 'lyke to be environed on all pairtis and overflowne with the . . . watteris'.¹²⁴ A few years later, it was said that the 'Leavin and rage of the sea [were at] the very yaird ends of the toun, and [had] carryed away some of [the] housis, and [was] lykle to undo [their] haill toun'.¹²⁵ Some improvements were achieved, however. The advice of a number of specialists was taken, including that of John Napier of Merchiston, the inventor of logarithms. In 1608, according to his instructions, the Bishop's water-gang was reconstructed, with the assistance of all in the burgh. Then, the bulwarks were found to be inadequate in 1628, when all able-bodied people in the town were ordered out with shovels and spades, those on the east side of the market cross at low water one day, those on the west at low water on the next; self-help exactly as Nairn burgh experienced. In 1634, there was a further crisis and, yet again, the bulwarks were repaired; but this was to remain a prevailing problem until 1859.¹²⁶ In the early part of 1719, the embankments on the Broad Meadow, at the north end of the town where not already flooded, were seriously damaged by storm and floods and stones had to be brought from the nearby Jamestown quarry to repair them.¹²⁷ Three years later, the kirk session had concerns over the kirkyard, which stood on the south side of the High Street. It was felt that the trees on the south side of the yard were liable to collapse, as they had been undermined by the river. A dyke that had once stood at the southern edge of the kirkyard, affording some protection from the incursions of water, had already completely disappeared.¹²⁸

Contemporary comments indicate the predicament faced by Dumbarton. Tobias Smollett, a pupil at Dumbarton Grammar School

¹²⁴ *RPC*, first series, vi, 160–61.

¹²⁵ *RPC*, first series, xiv, 467.

¹²⁶ Roberts and MacPhail, *Dumbarton Common Good Accounts*, v.

¹²⁷ Irving, *Dumbartonshire*, 65–6.

¹²⁸ NAS, CH2/97/4, 22 November 1722.

in the 1730s, would recall feeling cobble or paving stones under the water as he paddled the old pathway from the collegiate church to the then water-isolated Townend of Dumbarton.¹²⁹ A comment of Richard Pococke, when he visited the town in 1747, was telling: 'the town of Dumbarton is on a flat peninsula formed by the winding of the Leven',¹³⁰ a reminder of Dumbarton's on-going problem—the containing of the River Leven. Much of the northern end of the town, called the Broad Meadow, was to lie under water, known as the 'Drowned Lands', until reclaimed in the nineteenth century.

Dumbarton was an environmental disaster. But it survived. And it survived because of a supremely significant feature—one into which Alexander II had an insight—its strategic importance. There was an over-riding political reason for this choice. Alexander II wanted a burghal outpost here to gain a grip, firstly, on Argyll; but, also, the siting of Dumbarton gave ready access northwards into the heart of the Highlands—to the Loch Lomond area. The chronicler, Jean Froissart, writing in the fourteenth century described Dumbarton as 'sur la marche de la sauvage Ecosse', an interesting comment on both its geographical and political situation.¹³¹ To this outpost, in the words of the 1609 charter which reiterated the rights bestowed on the burgh, would be encouraged the people of the Highland region 'by having converse and making merchandise in the burgh to become more civil and obedient to the law'.¹³²

But Alexander II was justified, strategically and politically, in his choice of site by history. As a town, Dumbarton was not particularly successful until the nineteenth century. But as a base for control of Argyll and as a ship-building centre, it was inspired. It is interesting that in his declining years, Robert I stayed close to Dumbarton, at Cardross. The site of the royal manor-house, which contained a hall and a chapel and had a thatched roof, plastered walls and glazed windows, has traditionally been taken to be at Castlehill to the north-west of the town.¹³³ Contemporary records

¹²⁹ Irving, *Dumbartonshire*, 334.

¹³⁰ Richard Pococke, *Tours in Scotland, 1747, 1750, 1760*, ed. D.W. Kemp (Edinburgh, 1887), 61.

¹³¹ *Les Chroniques de Sire Jean Froissart*, livre 1, partie 1, chapitre lvii–1333 (Paris 1838).

¹³² *RMS*, v, 214.

¹³³ J. Irving, *Royalty in Dumbartonshire* (Dumbarton, 1914), 8.

suggest, however, that this tradition is incorrect; it is likely that it stood much nearer the river, as his great ship was pulled out of the river into the burn which ran beside the house, and from there it was easy to transport the gear and tackle to the house; and also, presumably, from this site he was able to make a quick exit, should events prove necessary.¹³⁴

Political events over the next centuries are ample justification for Alexander II's choice of site for the burgh of Dumbarton. They illuminate the strategic importance of Dumbarton and the significance of its harbour and shipbuilding, particularly during the reign of James IV (1488–1513), when it functioned as both a shipbuilding and outfitting base for his new navy.¹³⁵ It was from Dumbarton, also, that the king sailed in his expeditions to pacify the western mainland and islands of his kingdom.¹³⁶ Dumbarton became, in the years from 1531–40, the base for several royal expeditions to the west.¹³⁷ And in the reign of James VI (1567–1625), the town continued to play its role as rallying point for punitive expeditions against rebellious Islanders and Highlanders.¹³⁸ That Dumbarton could be a base for movement into the Loch Lomond region was witnessed as late as the 'Fifteen. In October 1715, 120 loyalist volunteers were stationed in Dumbarton. On 11 October, seven naval boats arrived at the town, where they were joined by three boats from Dumbarton. To meet up with their adversaries—the MacGregors—ten vessels were dragged up the Leven, while the sailors and volunteers went on foot to Loch Lomond.¹³⁹

Did, then, the reign of Alexander II see a consolidation of the efforts of preceding kings in their founding of burghs and in the reinforcement of their privileges? There are perhaps two answers. Alexander II's policy towards burghs, in itself, did not reinforce the strengths of burghs to any great extent, if we rely on the extant charter evi-

¹³⁴ G.W.S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (Edinburgh, 1988), 319–20; MacPhail, *Dumbarton*, 7–8.

¹³⁵ *TA*, iii, *passim*, e.g. iii, 301.

¹³⁶ *TA*, i, p. cxix; *TA*, ii, p. xliii; D. Gregory, *The History of the Western Highlands and Isles of Scotland, 1493 to 1625* (1881; reprinted Edinburgh, 1981), 100.

¹³⁷ I MacIvor, *Dumbarton Castle* (Historic Scotland, 1993), 7.

¹³⁸ Gregory, *Western Highlands*, 264, 266, 282–3, 292, 304; *APS*, iv, 98, 172; *RPC*, first series, v, 305, 482; vi, 100, 118; xii, 222; *CSP Scot*, viii, 60, 79, 738.

¹³⁹ MacPhail, *Dumbarton*, 46–7.

dence. His interests lay elsewhere. But he was not alone in showing little of his predecessors' initiative in erecting new burghs—there were surprisingly few new burghs founded during the entire thirteenth century. But burghs not only remained viable entities—they also displayed an increasing self-assurance through their officers and their courts, which began to wield more internal control; and also by the use of their burgh seals. The first evidence of burgh seals comes in the thirteenth century. Their significance is that they represented the authority of the community of the burgh, rather than that of the burgh superior—a striking re-emphasis. It is known that Berwick had such a seal by 1212; a number of other burghs soon displayed a similar self-confidence—Perth by 1219, Elgin by 1244 and St Andrews and Aberdeen by around 1250.¹⁴⁰ There may have been other burghs also, but the evidence is lost. By the end of the century, in 1295, the seals of six *communitates villarum*—Berwick, Roxburgh, Stirling, Edinburgh, Aberdeen and Perth—were appended to Scotland's treaty with France, a foreshadow of a more significant role for burghs in national politics in the following century.¹⁴¹ Burghal representatives at parliament, the appointment of burgesses to prominent government positions and the significant input from burghs and their merchants to national revenue and, even, royal ransoms, would see burghs by the fourteenth century holding a position, and a power, in the realm not only quite disproportionate to their size, but also quite disproportionate to the power which they had possessed in the twelfth century.¹⁴² Alexander II may have had a different agenda to that of his predecessors, but the ground rules laid down before his reign were such that burghs already possessed real and latent power. And on this, the burghs and their burgesses consolidated.

¹⁴⁰ *Ibid.*, 484.

¹⁴¹ *APS*, i, 453.

¹⁴² Dennison in Foster, Macinnes & MacInnes, *Power Centres*, 106–107.

SWERVING FROM THE PATH OF JUSTICE:
ALEXANDER II'S RELATIONS WITH ARGYLL
AND THE WESTERN ISLES, 1214–1249

Noel Murray

Commenting on the circumstances of Alexander II's death, the English chronicler Matthew Paris stated that he 'was a man wise and modest, who, after reigning many years justly, successfully and in peace, in his last days prompted by greed is said to have swerved from the path of justice.'¹ In 1249, that view was no doubt shared by many Hebrideans who believed that the king's attempts to compel them to accept the authority of the Scottish crown were indeed unjust. Yet Alexander II, did make real advances into the West and his policies facilitated the eventual translation of the Hebrides from Norwegian to Scottish jurisdiction in 1266. What is at question is not his abilities, nor indeed even his motives, but whether or not the king might have succeeded in incorporating Argyll and the Hebrides into his kingdom without having to resort to the drastic measures that led to his death on the Isle of Kerrera in 1249.

1214–1230

Many historians have seen Alexander II as the founder of the Scottish monarchy's eventual conquest of the West. It would be wrong, however, to see him as the sole expeditor of the Scottish monarchy's advance into the West. Many of his policies derived from those originally pursued by his father William the Lion. Historians often dismiss William as a king who showed little enthusiasm for the affairs

¹ Matthew Paris, *Chronica Majora*, v. 41, quoted in A.O. Anderson, (ed.), *Scottish Annals from English Chroniclers, AD 500–1286* (London, 1908), 360. In the context of this essay Paris' judgement is particularly apt. He qualified his assessment of Alexander II on the basis of the king's treatment of a certain 'Oenum' of Argyll, almost certainly the same man as Eoghan mac Donnchaid mic Dubhgaill, the lord of Argyll against whom Alexander II directed his western expedition in 1249.

of the Western Seaboard,² his sole contribution to the expansion of Scottish royal authority in the region being seen as the construction, in 1197, of the Newcastle of Ayr.³ Such judgements seriously underestimate his abilities.

A king whose reign was troubled by serious dynastic and provincial disturbances in Moray, Ross, Caithness and Galloway could not afford to ignore the support often offered to his opponents by the men of the Isles. The key to his western policies seems to have been his relationship with the Galloway family. After the pacification of Galloway in 1185–86, William cultivated the support of Roland, its new lord. In 1187 Roland defeated the forces of the king's dynastic rival, Domnall mac Uilleim,⁴ and he later served William as royal justiciar of greater Galloway.⁵ He was shown royal favour in 1196 when he was allowed to enter the inheritance of his wife, Helen de Morville,⁶ and in 1198 he was probably instrumental in securing King Ragnvald of Mann's support for William against Harald Maddadsson, earl of Orkney.⁷ Even after Roland's death in 1200 the king maintained good relations with his sons, Alan and Thomas, and by 1209 he had secured for both of them prestigious marriages

² A.A.M. Duncan and A.L. Brown, 'Argyll and the Isles in the earlier Middle Ages', *PSAS*, xc (1956–7), 197–198; G.W.S. Barrow, *Kingship and Unity: Scotland, 1000–1306*: second edition (Edinburgh, 1989), 113; R.A. McDonald, *The Kingdom of the Isles: Scotland's Western Seaboard, c.1100–c.1336* (East Linton, 1997), 68–69, 77, 80–81.

³ A.O. Anderson, (ed.), *Early Sources of Scottish History AD 500–1286* (London, 1922), ii, 348.

⁴ Anderson, *SAEC*, 294–295.

⁵ G.W.S. Barrow and W.W. Scott (edd.), *Regesta Regum Scottorum*, ii: *The Acts of William I, King of Scots, 1165–1214* (Edinburgh, 1971), nos 309, 400, 406. Roland may also have been acting as justiciar when he witnessed *RRS*, ii, nos 299, 308. For a discussion of his justiciarship of greater Galloway see: A.A.M. Duncan, *Scotland: The Making of the Kingdom*: second edition (Edinburgh, 1989), 203–204; and G.W.S. Barrow, *The Kingdom of the Scots: Government, Church and Society from the eleventh to the fourteenth century* (London, 1973), 106–107.

⁶ John of Fordun, *Chronica Gentis Scotorum*, ed. W.F. Skene, (Edinburgh, 1871–2), i. 278.

⁷ Rognvald's father Gofraid was the son of Roland's paternal aunt, Affreca of Galloway. As a close kinsman of the king of Mann and a trusted official of the Scots king, Roland was in by far the best position to introduce Rognvald to King William's service. For Rognvald's association with King William's policies towards Orkney and Caithness see: Anderson, *SAEC*, 316–318 (at 318 'Ronald son of Somerled' is almost certainly a confusion with Rognvald of Mann); *Orkneyinga Saga: the history of the Earls of Orkney*, trans. with an introduction by Hermann Pálsson and Paul Edwards (Harmondsworth, 1981), ch. 110.

that linked the family with the royal house.⁸ The king's purpose in enlisting Galwegian support appears to have been three-fold. He utilised the military resources of the lords of Galloway in order to combat the threat posed by the meic Uilleim; he exploited their kinship with King Ragnvald of Mann in his efforts to contain the threat posed by Orkney and the Isles; and he permitted the Galwegian acquisition of the de Morville inheritance in 1196 as part of a conscious effort to contain Stewart and Carrick expansionism in the Firth of Clyde. The last of these points requires some explanation.

Traditionally, the construction of the royal castle of Ayr has been interpreted as a response to Roland of Galloway's acquisition of the de Morville lordship of Cunningham.⁹ Although we know that King William imposed a heavy relief on Cunningham before allowing Roland to enter into his wife's inheritance, there is no actual evidence that the king distrusted Roland of Galloway. On the contrary, for the reasons already given it appears that the king held Roland in the highest regard. It is possible, however, that the castle was intended to contain Roland's cousin, Duncan of Carrick.

Roger of Howden tells us that in 1197 Duncan was campaigning in Ulster, attempting to realise grants on the River Bann that had been made to him by his kinsman John de Courcy.¹⁰ De Courcy was something of a renegade, who in 1177 had established himself as lord of Ulster by right of conquest, and thereafter seems to have acted independently of the English crown.¹¹ The significance of Duncan's association with such a figure cannot have been lost on the Scottish king, and may well provide us with the true motive for

⁸ For Alan's marriage in 1209 to the king's niece Margaret of Huntingdon see Anderson, *ESSH*, ii, 374. Thomas' wife Isabel, elder daughter and co-heiress of Earl Henry of Atholl was a third cousin of King William and had been in royal wardship since c.1200. As Thomas witnessed one of King William's charters as earl of Atholl on 7 January 1210 (*RRS*, ii, no. 489), it is likely that his marriage took place about the same time as that of his brother and was due to royal favour.

K.J. Stringer, 'Periphery and core in thirteenth century Scotland: Alan son of Roland, lord of Galloway and constable of Scotland', in A. Grant & K.J. Stringer (edd.), *Medieval Scotland: crown, lordship and community* (Edinburgh, 1993), 82–113.

⁹ Duncan, *Making of the Kingdom*, 187.

¹⁰ *Chronica Magistri Rogeri de Houeden*, ed. W. Stubbs (Rolls Series, 4 vols, 1884–9), iv, 25, s.a. 1197.

¹¹ The most recent discussion of de Courcy's career is S. Duffy, 'The First Ulster Plantation: John de Courcy and the men of Cumbria', in T.B. Barry, R. Frame and K. Simms, (edd.), *Colony and Frontier in Medieval Ireland: essays presented to J.F. Lydon* (London, 1995), 1–27.

King William's decision to reinforce royal authority in the Firth of Clyde in 1197.¹² It is also possible that it was intended to send a deliberate message of displeasure to the expansionist Stewarts. About the same time that Duncan of Carrick was campaigning in Ulster, Raonall mac Somhairle, lord of Kintyre and self-styled 'king of the Isles', made a grant of a penny from every house that smoked on his lands to the Stewart abbey of Paisley.¹³ Since we know that thirty-three years earlier his father had been killed whilst attacking the caput of the Stewart barony at Renfrew, his decision to make such a grant appears bizarre. We can only speculate on the circumstances in which the grant was made, but it may be of some value to recall that in 1192 Raonall had been defeated by his younger brother, Aonghus,¹⁴ and it is therefore possible that his association with Paisley was part of a deliberate attempt to contract an alliance with its Stewart lord. Like Stewart involvement in Bute, King William may well have perceived this as a threat, for any such alliance would have involved the Stewarts in an area where the crown's overlordship was weak, or, in the case of Bute and the other Hebridean islands, technically non-existent. The creation of a royal castle and subsequently a burgh at Ayr must therefore have sent an equally strong message to Alan the Steward as it did to his future son-in-law, Duncan of Carrick.

Within three years these messages had been greatly reinforced. King William seems to have lacked the confidence in the Stewart family that had characterised their relationship with his brother, Malcolm IV. Stewart attestations to royal charters markedly decline during his reign,¹⁵ and it is no doubt significant that many of their

¹² Barrow, *Kingship and Unity*, 114, recognised that the construction of a royal castle at Ayr was probably intended to contain the ambitions of Duncan of Carrick but failed to notice the significance of Duncan's association with John de Courcy in 1197.

¹³ *Registrum Monasterii de Passelet*, ed. C. Innes (New Maitland Club, 1877), 125.

¹⁴ George Broderick and Brian Stowell (eds), *Chronicle of the Kings of Mann and the Isles (Recortys Reeaghyn Vannin as ny hEllayn)* (Edinburgh, 1973), 57, s.a. 1192.

¹⁵ Walter FitzAlan I witnessed 74 royal acts during Malcolm IV's reign (1153–1165), and 54 during the first twelve years of William I's reign. His son and successor, Alan FitzWalter, witnessed a total of 47 acts during William's reign (1165–1214), of which 14 were attested before his Walter's death in 1177. Although Alan lived until 1204 none of his attestations are dated later than 31 December 1196 × 1198. The contrast with his father's position is obvious; whilst Walter averaged over 5 attestations a year, Alan barely managed 1.5.

official duties at court were replaced by a new officer, the royal *prebenda*.¹⁶ The absence of the Stewart from the witness list of the king's foundation charter for Ayr is further evidence of deteriorating Crown-Stewart relations,¹⁷ but it pales into insignificance when compared to the action taken against the family by the king in 1200. The marriage in that year of Avelina FitzAlan to Duncan of Carrick provoked more than mere royal displeasure, it invoked the king's wrath. Secretly contracted whilst both the king and Roland of Galloway were absent from Scotland, it must have confirmed many of the king's growing doubts about both families. In retaliation, the king, on his return, demanded 24 pledges from the Stewart, an unparalleled number in High Medieval Scotland.¹⁸ In addition, and perhaps more tellingly, William forced Alan FitzWalter to grant the parish of the whole of Bute to the Stewart abbey of Paisley.¹⁹ This act was surely calculated to ensure that an island, which was technically under Norwegian sovereignty, and ecclesiastically was under the jurisdiction of the archdiocese of Nidaros, was firmly tied to a Scottish religious house, albeit one under Stewart patronage.²⁰ It was a clear signal to the Stewarts that the crown would not tolerate attempts by its subjects to extend their personal lordships into areas beyond the boundaries of Scottish royal authority, and as such it was surely understood. Stewart expansion westwards ceased after 1200, and as we shall see, until their restoration to favour three decades later, the family was forced to confine its immediate ambitions to its existing lordships in the Firth of Clyde.²¹

¹⁶ On how Richard *de Prebenda* appears to have replaced Alan FitzWalter's duties at court and the office of Steward became largely honorific during King William's reign see Barrow, *RRS*, ii, 35.

¹⁷ *Ibid.*, no. 462. If, as Barrow suggests, the foundation charter dates to 1205 then the Stewart's absence can be explained by the minority of Alan's son and successor, Walter FitzAlan II. The absence of Stewart retainers from the witness list is, however, still noteworthy. Moreover the king cannot have failed to notice that the extent of Ayr's burghal liberties would infringe upon the freedom of the Stewarts' own burgh at Prestwick.

¹⁸ Anderson, *SAEC*, 325.

¹⁹ *Paisley Registrum*, 15.

²⁰ Even Barrow conceded that Alan FitzWalter may have made the grant to appease the king's wrath. See G.W.S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980), 68 n. 40.

²¹ From the time of Avelina FitzAlan's marriage in 1200 to the time of Walter II's appointment to the justiciarship of Scotia c.1232 there is no evidence of further Stewart expansionism north-west of the Firth of Clyde.

It is only by considering this background information that we can come to fully appreciate the nature of Alexander II's early policies towards Argyll. Between 1214 and 1230 the king sought to expand and consolidate the authority of the Scottish crown in the region of the Firth of Clyde which, from both William the Lion and Alexander II's perspectives, held the key to controlling south-west Argyll and the southern Isles. After his accession in 1214 Alexander was happy to allow both Alan and Thomas of Galloway a large degree of freedom in their attempts to conquer Mann and the Isles, believing that their success might end the challenge posed by the MacWilliams and see an expansion of Scottish influence into the West.²² However, like his father before him, he also recognised the value of the policy of divide and rule. Just as William the Lion had sponsored Harald Maddadsson's rivals in their efforts to secure Caithness, so Alexander II made optimum use of divisions within the Manx kingdom by encouraging Alan of Galloway and Ferchar mac an t-saggairt, to support their own candidates in the fraternal discord which divided the kingdom throughout the 1220s.²³ At this point the king's real interest was not in the Isles themselves, but in the rights of overlordship he believed were a prerogative of his crown in Argyll. In order to realise those rights he had to secure the Clyde.

In June 1221, in conjunction with Alan and Thomas of Galloway, he led an army composed of the levies of Galloway and Lothian and sailed against Argyll. Bad weather forced him to return to Glasgow, but in the following year he renewed the assault.²⁴ Kintyre

²² On Alexander II's attitude towards the Galloway family's expansionist ambitions in the Isles see Stringer, 'Periphery and core', 92–97.

²³ At some point after 1214 Óláfr of Mann repudiated his wife Lavon, who was his brother's wife's sister, and married instead Christina, daughter of Ferchar mac an t-saggairt, whom Alexander II later created earl of Ross. About 1226 Óláfr's brother, King Rognvald, married his daughter to Alan of Galloway's illegitimate son Thomas. There is no hint of conflict between Alan of Galloway and Ferchar mac an t-saggairt during the 1220s or 1230s and it is possible that both hoped to profit, with King Alexander's approval, from the divisions in the Manx dynasty: Ferchar hoping for gains in ?Skye and Lewis (where his descendants gained dominance after 1263); and Alan in the southern Hebrides and Mann, where territorial gains would complement his existing Firth of Clyde-North Channel lordships. For Óláfr's marriage see Broderick and Stowell, *Chron. Mann*, 65a. For the marriage of King Rognvald's daughter see: *Ibid.*, 71; Stringer, 'Periphery and Core', 96–97.

²⁴ *Chron. Fordun*, i, 288–9; ii, 284; Andrew Wyntoun, *The Orygynale Cronykil of Scotland*, ed. D. Laing (Edinburgh, 1872–79), iii, 240. The feasibility of two expeditions, as recorded by Fordun, has been demonstrated by J.G. Dunbar and A.A.M. Duncan, 'Tarbert Castle: a contribution to the history of Argyll', *SHR* i, (50), 1971, 1–17, 2–3.

was subdued, and Ruairidh mac Raonailh, eponymous ancestor of the meic Ruairidh, expelled.²⁵ The prime beneficiary of his downfall was his brother Domhnall, whose descendants continued to hold lands in the peninsular until the sixteenth century.²⁶ To consolidate his gains, the king ordered construction of a royal castle at Tarbert, which dominated the narrow isthmus linking Kintyre with Knapdale, and at the same time he may also have initiated building work at Dunaverty, though details of the early history of this castle continue to remain scarce.²⁷ Although it has been argued that the primary focus of the king's expedition was Kintyre, it seems more realistic to consider that his true aim was to complete the subjugation of the Firth of Clyde.²⁸ The king's decision, taken shortly afterwards, to confer burghal status on Dumbarton, does something to support this view.²⁹ The removal of this area, with its strategically important

²⁵ Duncan and Brown, 'Argyll and the Isles', 199–200; Dunbar and Duncan, 'Tarbert Castle', 2. Ruairidh is specifically designated 'lord of Kintyre' in the early thirteenth charter by which he granted three pennylands of Killeen and two of Kilmarow to the church of St John (Killeen) in Kintyre. See *Registrum Magni Sigilli Regum Scotorum*, edd. J. Thomson and others (Edinburgh, 9 vols, 1882–97 and 1912), ii, no. 3136; and *Origines Parochiales Scotiae*, (Bannatyne Club, 1854), ii, I, 21–23.

²⁶ The MhicDomhnaills appear as patrons of the church of Kilkerran in southern Kintyre before 1250: *Paisley Registrum*, 127–128; *OPS*, ii, I, 13.

²⁷ Dunbar and Duncan, 'Tarbert Castle', 13, proposed that Alexander II initiated construction of Tarbert Castle soon after the royal expedition against Argyll in 1222. In the absence of more solid evidence their conclusions must remain conjectural but construction of the castle at this date would certainly have complemented Alexander II's other policies at this time anent south-west Argyll and the Firth of Clyde. Dunaverty Castle at the southern tip of Kintyre was certainly in existence in 1263, when it surrendered to Håkon IV's forces, but its construction cannot conclusively be attributed to Alexander II's reign. Whilst it is possible that it was the castle attacked by Thomas of Galloway's illegitimate son Alan in 1248, an alternative view identifies the target of the attack ('Dunaverdum') as the motte of Doonavernon in County Antrim. For evidence of Alan's 1248 attack see J. Bain, (ed.), *Calendar of Documents relating to Scotland* (4 vols, Edinburgh, 1881–8), i, no. 1865. The fact that Walter Bisset was apparently captured by Alan after provisioning a Scottish castle from Ulster may strengthen the identification of Dunaverty as the focus of the attack; H. Sweetman, (ed.), *Calendar of Documents relating to Ireland* (5 vols, London, 1875–86), i, no. 2925. Alan was pardoned by Henry III in 1252; *CDI*, ii, no. 2. For the identification of 'Dunaverdum' with Doonavernon (which was in the Ulster lordship granted to the Bissets by Hugh de Lacy, earl of Ulster after their expulsion from Scotland in 1242), see T.E. McNeill, *Anglo-Norman Ulster: the history and archaeology of an Irish barony, 1177–1400* (Edinburgh, 1980), 22.

²⁸ Duncan and Brown, 'Argyll and the Isles', 200. Duncan later modified his view: Dunbar and Duncan, 'Tarbert Castle', 3.

²⁹ *RMS*, vii, no. 190 (i). Dunbar and Duncan, 'Tarbert Castle', 2–3, also note the extensive trading privileges granted to Dumbarton and recount how these led to conflict with the episcopal burgh of Glasgow over trading rights in Argyll. An unobserved, but equally important, consideration is that Dumbarton's trading privileges,

castle, from the hands of the Stewarts' allies, the earls of Lennox, was undoubtedly a deliberate act intended to signify the king's determination to stamp royal authority upon the area.³⁰ When we combine this with the later appearance of a royal constable of Dunoon,³¹ we can see that the expedition was an overwhelming success.

Although in 1221–2, Alexander II never seems to have ventured into the Atlantic, his campaigns had a profound effect upon the Hebrideans. Many of them may have been shocked by the expulsion of Ruairidh mac Raonall, which represented the most obvious display of royal power and illustrated that no Hebridean leader was beyond the scope of the king's dominion. The idea that the king's intentions were serious was probably also reinforced later in 1222 when he moved against the men of Caithness and maimed many of them for burning their bishop to death in his lodgings at Halkirk.³² Both events evidently left a deep impression on the meic Dubhgaill, for within two years of the expedition Donnchadh mac Dubhgaill appears as a witness together with Duncan of Carrick and members of the Lennox family to Earl Máeldomhnaigh's confirmation of Lynbren to Paisley.³³ His appearance may represent an attempt to ingratiate himself with Gaelic magnates whose lordships had long been recognised as falling under the sovereignty of the Scottish crown. More telling, however, is the fact that in the same year Hebrideans appeared at Håkon IV's court in Norway,³⁴ and the statement that shortly afterwards complaints were made of great unrest in the Isles and the lack of fidelity for the king displayed by Donnchadh and his brother Dubhgal Screech.³⁵ That clearly implies that Alexander

like those of the royal burgh of Ayr in relation to Prestwick, had the potential to limit the development of another Stewart burgh; the *caput* of the main Stewart barony at Renfrew. Against this background we must ask if both William the Lion and Alexander II deliberately established royal burghs on the western seaboard in an effort to prevent the Stewarts' potential economic dominance of the Firth of Clyde being turned into political reality? See P. Dennison, this volume.

³⁰ When, later in 1238, King Alexander confirmed Earl Máeldomhnaigh in his earldom he reserved Dumbarton to the crown: *Cartularium Comitatus de Levenax* (Maitland Club, 1833), 1.

³¹ *Paisley Registrum*, 132–133.

³² Anderson, *SAEC*, 336–337; cf. Anderson, *ESSH*, ii, 449–452. According to the Icelandic Annals King Alexander punished the men of Caithness by cutting off the hands and feet of eighty who had been present at the bishop's burning.

³³ *Paisley Registrum*, 216–217.

³⁴ Anderson, *ESSH*, ii, 455.

³⁵ *Ibid.*, 464–465.

II's campaigns had impressed the Hebrideans and convinced some of their leading kindreds that peace with the Scottish king was more important than submission to the Norse. At the time Håkon IV was too preoccupied with his own domestic affairs to attempt to interfere in the West,³⁶ but six years later he was urged by Óláfr of Mann to despatch a fleet to the Isles in order to repel the threat posed to Norwegian sovereignty by Alan of Galloway.³⁷ Under the command of Uspak Håkon, a loyal supporter of Håkon's who claimed to be a son of Dubhgal of Argyll, a Norwegian fleet of twelve ships set sail from Bergen in the spring of 1230, and was reinforced by twenty Orcadian ships on its way south to the Isles.³⁸ After rendezvousing with Hebridean forces in Islay Sound it sailed into the Firth of Clyde and attacked the Isle of Bute. When Alan of Galloway appeared with a large fleet off the Mull of either Galloway or Kintyre, the Norwegians fled for the safety of Mann where they remained until the following spring. Nothing concrete had been achieved by their efforts, and in the attempt to establish his own kingdom amongst the meic Somhairle Uspak Håkon had paid with his life. Among the Scots only one man suffered as a result of this expedition and that was Alan of Galloway. Unable to realise his own ambitious schemes in Mann, Ireland and the Isles, Alan had plunged the kingdom into real danger and the appearance of a Norwegian fleet in the Clyde in 1230 signalled that his disgrace in the eyes of the king was complete.³⁹

1230–1249

Despite the threat posed to his kingdom by the Norwegian fleet of 1230–31, Alexander II had much to celebrate as a result of the expedition's failure. The Scottish mainland had not been assaulted

³⁶ Despite Håkon's domestic difficulties in 1224 there was a belief at the Scottish court that the Norwegian king was planning a western expedition in conjunction with Hugh de Lacy, the dispossessed earl of Ulster: *CDS*, i, no. 852. Throughout Alexander II's reign de Lacy was to prove an inveterate foe of the Scottish crown's western ambitions.

³⁷ Anderson, *ESSH*, ii, 474. It is clear from this account that Alan of Galloway continued to entertain hopes of annexing Mann after King Rognvald's defeat and death at the hands of his brother on 14 February 1229.

³⁸ The best collection of narrative sources in translation for the 1230 expedition is that given in Anderson, *ESSH*, ii, 471–478.

³⁹ Stringer, 'Periphery and Core', 97.

in 1230 and the support afforded the Norwegians by the Hebrideans had been, at best, tepid. Although both Donnchadh of Argyll and his brother Dubhghall Screech had joined the expedition, it is clear that they were reluctant to do so. *Håkon Håkonarssons Saga* states that when the Norwegian fleet arrived in Islay Sound:

They [the meic Dubhgaill] invited the Norwegians to a feast, because they had strong wine, but the Norwegians were told that all would not be without treachery and therefore they would not go to the feast. Then both parties drew together their forces, because neither trusted the other.⁴⁰

This may imply that, even before the fleet had set sail for the Firth of Clyde, the meic Dubhgaill were seeking to sabotage the expedition, and it is not impossible that Alexander II knew of their plans. The attempt obviously failed, but meic Dubhgaill participation was only guaranteed after a violent confrontation with the Norwegians in which their kinsman, Somhairle, was slain, and Dubhghall Screech was placed in chains, a precautionary measure no doubt intended to secure the Hebrideans' future co-operation.⁴¹ Equally significant is the fact that Donnchadh mac Dubhgaill managed (or more correctly was permitted), to escape.⁴² The lack of supporting evidence makes it difficult to ascertain his subsequent actions, but given the geographical location of the fleet it is likely that he fled to the mainland and he may have used this opportunity to advise the Scots of the size and composition of the Norwegian fleet. Donnchadh was clearly predisposed to the Scots and the known details of his later career show that he was keen to promote himself as a member of the community of the Scottish realm. In, or shortly after, 1230, he founded the Valliscaulian Priory of Ardchattan, emulating the actions of John Bisset of the Aird, one of King Alexander's frontiersmen at the northern end of Glen Mór, and of the king himself, who, about the same time, founded a Valliscaulian house at Pluscarden in Moray.⁴³ Donnchadh's foundation may have been motivated by a desire to

⁴⁰ Anderson, *ESSH*, ii, 475 and n. 8.

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ E.C. Batten, *The Charters of the Priory of Beaulieu with notices of the Priories of Pluscardine and Ardchattan, and of the founder John Byset* (Grampian Club, 1877), 147–148; I.B. Cowan and D.E. Easson, *Medieval Religious Houses: Scotland* (2nd edn., London, 1976), 83–84.

make recompense for having joined the Norwegians in 1230. Seven years later, he was one of the Scottish barons who informed the Pope of the treaty with England in 1237.⁴⁴ If Donnchad regarded himself as a king of *Innsi Gall*, and Norwegian sources imply that he did,⁴⁵ he was also aware of the need to court Scottish favour. That was only expedient in an age when the Norwegian king proved himself incapable of enforcing his direct overlordship of the Isles whilst the king of Scots' authority made a swift, and militarily enforceable, advance towards Argyll.⁴⁶ Against this background it is hardly surprising that for most of his long life Donnchad wisely chose to preserve concord with the Scottish king.

Amongst the other known descendants of Somhairle, the most conspicuous absentees from the 1230 expedition were Ruairidh and Domnall meic Raonall. Ruairidh, as one of those dispossessed by Alexander II during the campaign of 1221–2, can have had little love for the king of Scots, and as lord of the Outer Isles he was an obvious western power for the Norwegians to court in 1230. Jealousy of Uspak Håkon (Gilleasbuig mac Dubhgaill), may explain why he remained aloof. Good family relations were rarely a feature of meic Somhairle life in the twelfth and thirteenth centuries, and Ruairidh is unlikely to have welcomed the news that King Håkon had granted Uspak Håkon a commission that effectively made him overlord of all the meic Somairle insular dominions.⁴⁷ It is also possible that he had found alternative and more direct means of wreaking revenge on the Scottish king. In 1229, Gilleasbuig mac Uilleim launched the last of his family's challenges to the Canmore dynasty.⁴⁸ As in the case of previous meic Uilleim revolts, the centre of the rebellion appears to have been the Highland districts of Moray where he is said to have allied himself with 'a great number of wicked men.'⁴⁹ Of these the only one named by the Lanercost Chronicler is 'Roderic',

⁴⁴ Anderson, *SAEC*, 356–357.

⁴⁵ Anderson, *ESSH*, ii, 465.

⁴⁶ Contrast Alexander II's successes in the personal expeditions he led against Argyll in 1221–2 with the obvious failures of the Norwegians' 1230 campaign.

⁴⁷ Duncan and Brown, 'Argyll and the Isles', 201–202, hypothesise that the object of Uspak Hakon's expedition was not the subjugation of the entire Western Seaboard but rather the creation of a single kingdom in the southern Isles encompassing all the possessions of the MhicSomhairles.

⁴⁸ *Chron. Bower*, v, 142–143.

⁴⁹ Anderson, *ESSH*, ii, 471.

a Latinised form of Ruairidh.⁵⁰ The precise identity of this Ruairidh remains unknown, but Ruairidh mac Raonaill's earlier treatment at the hands of Alexander II, and the proximity of his lordship of Garmoran to the possible centres of the revolt in Badenoch and Lochaber, make it tempting to conclude that he is the individual to whom the chronicler referred. The rebellion lasted until c.1230 when Gilleasbuig meic Uilleim and his two sons were captured and beheaded by the Justiciar of Scotia, William Comyn, earl of Buchan. Comyn had been appointed warden of Moray after King Alexander had personally led a campaign against meic Uilleim that had failed to suppress the revolt.⁵¹ If Ruairidh were present, it must have been particularly satisfying for him to know that he and his associates had eluded the king. It would also offer a tangible explanation for why he did not join the Norwegian fleet in 1230.

The absence of Ruairidh's brother, Domnall, poses greater problems. Little is known of his career, but as lord of Islay, Gigha and perhaps south Jura, he was one of the most important figures on the Western Seaboard. The Norwegian fleet's arrival in Islay Sound in 1230 cannot have gone unnoticed by him and may have been a deliberate move intended to coerce him into submission. If that was the case the Norwegians failed. Norse sources know nothing of Domnall and it is clear that he did not join the Norwegian fleet. His reasons are not hard to discern. As the prime beneficiary of his brother's expulsion from Kintyre he had good reason to keep faith with the king of Scots, and as lord of two thirds of Kintyre he was subject to Alexander II's overlordship.⁵² For Domnall that overlordship may have been more real than for his meic Dubhgaill kinsmen, for Domnall must have been more mindful than most that the royal expedition which had seen an expansion of his territory at his brother's

⁵⁰ *Ibid.*

⁵¹ A. Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997), 27; A. Young, 'The Earls and Earldom of Buchan in the thirteenth century', in A. Grant and K.J. Stringer (edd.), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993), 174–202, 177–178.

⁵² It is clear from *RMS*, ii, nos 3136, 3170, and *Paisley Register*, 120–122, 127–128, that until c.1250 the MhicSomhairle dominions in Kintyre were concentrated in the southern half of the peninsular below Rhunahaorine Point, whilst to the north lay the lordship of the MhicSuibhnes. On the historical boundary between the lordships of Kintyre and Knapdale (which embraced the whole of the parish of Kilcalmonell), see: Dunbar and Duncan, 'Tarbert Castle', 6–7; and J. Munro and R.W. Munro (eds), *Acts of the Lords of the Isles* (Scottish History Society, 1986), 217–218.

expense had also demonstrated the king's ability to make a direct strike at Kintyre. Moreover it is clear that until the beginning of the fourteenth century the lords of Islay were the least powerful branch of Somhairle's descendants.⁵³ Lacking the military resources at the disposal of the meic Dubhgaill and his brother Ruairidh, Domnall simply could not afford to break faith with Alexander II. This may also explain why, in the spring of 1231, the Norwegians 'made many incursions into Kintyre', and why Domnall and his men, who may have received reinforcements from the king, offered them such stubborn resistance.⁵⁴

If nothing else, this brief review of the meic Somhairle actions in 1230–1231 should illustrate that when faced by the question of divided loyalties the majority of Somhairle's grandsons feared Alexander II more than the wrath of Hákon IV. That may seem to be a moot point, but it must have reassured the king and it bode well for his future ambitions in Argyll and the Western Isles. The suppression of the meic Uilleim revolt closed one avenue of opportunity to the Hebrideans and did much to bring stability to the north. In the Isles it was paralleled by Óláfr the Black's restoration to Mann, which, despite representing the only triumph of the Norwegians' 1230 campaign, may well have been welcomed by King Alexander. Not only did it help to restore stability to the region, it also saw the consolidation of a dynasty which had close links with the king's principal northern protégé, Ferchar mac an t-saggairt, and it is unlikely to be mere coincidence that it was about this time that Ferchar was created earl of Ross.⁵⁵ Óláfr was, above all, a pragmatist. Whilst he might appeal to the kings of Norway and England for aid and support in times of need, there is little to suggest that he actually welcomed outside overlordship of his realm.⁵⁶ He held 'that dominion

⁵³ This fact is reflected in the titles given to the MhicSomhairles by their Gaelic and Norse contemporaries. In the Irish annals the designations *rí Airer Gaeidhel* ('king of Argyll') and *rí Innse Gall* ('king of the Isles'), are applied exclusively to the MhicDubhgaills and MhicRuairidhs respectively until the decline of the MhicDubhgaills precipitated a rise in MhicDomhnaill power in the early fourteenth century. Norse sources know of many kings among the MhicSomhairles but only ever accord the title to the branches of the family descended from Dubhgaill mac Somhairle and his nephew Ruairidh mac Raonaill.

⁵⁴ Anderson, *ESSH*, ii, 477.

⁵⁵ Duncan, *Making of the Kingdom*, 529.

⁵⁶ Óláf only appealed to Hákon IV for aid in times of crisis. The same could be said of his relations with the English crown: *CDS*, v, II, no. 9; *CDI*, i, no. 2381.

manfully⁵⁷ against Alan of Galloway because necessity had dictated that he do so, and once restored to his kingdom it is questionable that he viewed Håkon IV as more than a titular suzerain who served as a convenient source of support. His freedom in 1214 he owed to Alexander II,⁵⁸ and his dominions in the northern Hebrides lay within easy range of Ferchar mac an t-saggairt's lands in Wester Ross. Neither consideration can have been lost on him. If the king of Scots left him undisturbed in his domain it was unlikely that he would disturb the king of Scots.⁵⁹

In practice, therefore, Alexander II's authority in the West in 1230 exceeded that of any of his predecessors with the possible exception of David I. Nevertheless, a change of policy was called for, and from 1230 onwards the evidence suggests that the king entrusted the subjugation of the West to prominent Anglo-Norman families. Of these the Stewarts and the Comyns were the most important.

The restoration of the Steward and his family to royal favour was in large part a response to the failures of Alan of Galloway. Walter the Steward had been with the king and Alan of Galloway at Ayr in 1230 when the Norwegian fleet threatened the Firth of Clyde. The fact that Alan's policies had caused 'the gravest national emergency since King John's invasion of Lothian in 1216'⁶⁰ must have caused the king obvious displeasure, but it played right into the Steward's hands. Not only were the family able to claim that his actions had brought them personal injury, (their castle of Rothesay on Bute was the only Scottish garrison to be attacked and stormed),⁶¹ they were also able to question Alan's commitment and even his loyalty to the king.⁶² Why they should have done so is an easy issue to resolve.

After Alan of Galloway, Walter the Steward, as lord of Renfrew, North Kyle and Bute, was clearly the most powerful noble of the Firth of Clyde. His position in the region was further strengthened

⁵⁷ Anderson, *ESSH*, ii, 464 n. 9.

⁵⁸ Broderick and Stowell, *Chron. Mann*, 65a.

⁵⁹ After being restored to Mann by the Norwegians in 1230 there is no evidence that Óláf attempted to further disturb the peace of the Scottish kingdom. He died on 21 May 1237: *ibid.*, 77. His son and successor, Haraldr, is described as having enjoyed 'a stable peace and a friendly alliance with the kings of England and Scotland' between 1242 and 1248: *ibid.*, 83.

⁶⁰ Stringer, 'Periphery and Core', 97.

⁶¹ Anderson, *ESSH*, ii, 471–472; 476.

⁶² *Chron. Bower*, v, 262.

by his family connections. He was the brother-in-law of Earl Duncan of Carrick and the father-in-law of Malcolm of Lennox, son and heir of Earl Maeldomhnaigh.⁶³ Relations between all three families were close,⁶⁴ and if we think of their scattered lordships as one territorial unit then it is clear that they were in a position to dominate the Firth of Clyde. That meant that they were also in the best position to lead the extension of Scottish royal authority into south-west Argyll, an undertaking which could be made all the more easy by the fact that they are known to have been in possession of galleys.⁶⁵ King Alexander clearly recognised their potential and c.1231 he turned to the Steward and his kinsmen and entrusted them with what might be termed the re-conquest of south-west Argyll.

The change in royal attitude is neatly symbolised by Walter Steward's appointment as Justiciar of Scotia on the death of William Comyn in 1232.⁶⁶ William Comyn had been used by both William the Lion and Alexander II as an agent of royal authority in the north and had proved himself capable of subduing troublesome areas.⁶⁷ By bestowing the Justiciarship of Scotia upon Walter Steward, a man with no landed interests in the north, Alexander II showed that the subjection of mainland Argyll was now considered a crown priority and that he recognised Walter Steward was best suited to

⁶³ 'Moray, Earls of', *Burke's Peerage* (1963), 1712.

⁶⁴ Connections between the comital families of Carrick and Lennox can be traced in *Liber Sancte Marie de Melros*, (Bannatyne Club, 1837), nos 29, 30; and in *Paisley Registrum*, 166–168, 216–217. Two of the grants made by Walter FitzAlan II were witnessed by Malcolm of Lennox, the earl's son and heir: *Paisley Registrum*, 20–21, 24; whilst Walter himself acted as a witness to four of Earl Máeldomhnaigh's charters; *Paisley Registrum*, 158, 170–171, 209, 212–213.

⁶⁵ Duncan of Carrick must have been in possession of galleys in order to have pursued his quest for lands in Ulster: cf. above n. 10 and *CDI*, i, nos 427, 461, 564, 907, 942, 1161, 1200, 1201. Similarly, the Stewarts required galleys to maintain their dominance of Bute and are certainly known to have possessed a large fleet at the end of the thirteenth century: *Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati* edd. D. Macpherson and others, (2 vols, London, 1814–19), i, 31b. The existence of a Lennox fleet is evidenced by the attack launched by Earl Máeldomhnaigh's brother Muiredach on the coast of Inis Eóghain in 1216: *The Annals of the Kingdom of Ireland by the Four Masters*, ed. J. O'Donovan, 7 vols, (Dublin, 1848–51), iii, s.a. 1215; *The Annals of Loch Cé*, ed. W.M. Hennesey, 2 vols, (Rolls Series, 1881), i, s.a. 1215; *The Annals of Ulster*, ed. W.M. Hennesey and B. MacCarthy, 4 vols, (Dublin, 1887–1901), ii, s.a. 1216. This attack should probably be seen in conjunction with the activities of Duncan of Carrick rather than those of his Galloway cousins.

⁶⁶ Barrow, *Kingdom*, 106 and n. 106.

⁶⁷ Young, *Robert Bruce's Rivals*, 22–23, 27–28, 34–36.

achieve that aim. It was the first indication in over thirty years that the crown was prepared to countenance an expansion of the Stewart lordship into the Gaelic peripheries of the south-west. The king's trust in Walter was not lost. By the time of his death in 1241 the leading kindreds of the Cowal peninsular had been brought under the Steward's lordship and royal authority had been extended further west into mid-Argyll.⁶⁸ The difference is noteworthy.

When Gilleasbuig mac Gilla Chriosd, lord of Glassary, received the five pennylands of Fincharn and others in 1240, it was Alexander II, not Walter Steward, who made the grant.⁶⁹ Although Gilleasbuig is known to have held lands in eastern Cowal, presumably under Stewart overlordship, it was explicitly stated that he held Glassary of the king.⁷⁰ The grant reflects Alexander II's general attitude towards the extension of the Stewart lordship and Scottish expansion into mainland Argyll. Whilst the king was willing to allow the Stewarts to establish a new lordship in Cowal, he was not ready to see that lordship extend beyond the western reaches of Loch Fyne. In this context we should also remember that although the Stewards held Cowal, they did so under the watchful eye of the royal constable of Dunoon, who was supported, no doubt, by his counterpart at Dumbarton. Argyll might have been a land ripe for conquest but Alexander II was determined that he would have no Strongbows in his kingdom.

This point can be tied to the king's use of the Comyns, and in particular to the use he made of Walter Comyn, Earl William's second son by his first marriage. Only three years before the Steward was granted the Justiciarship of Scotia, Walter Comyn was rewarded for his part in the downfall of the meic Uilleim with the vast Highland lordship of Badenoch and its associated lordship of Lochaber.⁷¹ That meant that from as early as c.1230, he controlled a huge swath of Highland territory dominating not only the southern approaches to Moray from the Tay basin, but also the seaward approaches to Glen Mór from Loch Linnhe and the Minch. His possession of Lochaber was particularly significant because it meant that his lands marched

⁶⁸ *Paisley Registrum*, 132–133.

⁶⁹ J.R.N. Macphail, *Highland Papers*, 4 vols (SHS, 1914–1934), ii, 121–123.

⁷⁰ *Ibid.* 'Alexander, king of Scots, grants to Gillascop mac Gilcrist, for his homage and service in Argyll, the five penny lands of Fyncharne. . . . to be held by the said Gillascop and his heirs of the king.'

⁷¹ Young, *Robert Bruce's Rivals*, 27–28.

on both Donnchad mac Dubhgaill's lordship of Argyll and Ruairidh mac Raonaill's lordship of Garmoran. It is difficult to believe that this was mere coincidence and it is tempting to conclude that Alexander II deliberately established Walter in both lordships as a means of exerting pressure on the West Highland kindreds. If that was the king's aim it succeeded for no further disturbances are reported in the region after 1230. Walter was not, however, destined to be confined to a career in the central Highlands. Early in 1234 he had acquired the earldom of Menteith by marriage to Isabel, daughter and heiress of Maurice, the third earl.⁷² This marriage, which was almost certainly arranged by Alexander II,⁷³ also had important consequences for Walter's position in regard to the Western Seaboard. Like Lennox, Strathearn and Atholl, Menteith was in effect a marcher earldom that controlled important passes from central Scotland into Argyll. More interesting is the fact that the title also brought with it certain rights of jurisdiction over Cowal and Kintyre. In both regions King William the Lion had confirmed to Walter's predecessors what amounted to proto-shrieval authority.⁷⁴ Jurisdiction over Kintyre would bring the earl into contact with Domnall mac Raonaill, and meant that his influence could potentially be exerted over all three branches of Somhairle's descendants. Authority over Cowal had the obvious benefit of allowing Walter to monitor the progress of the Stewart expansion and provided King Alexander with yet another means by which he could supervise the family's activities. When we combine these factors with the influence Earl Walter is known to have exercised over the earldom of Atholl from 1237–1242,⁷⁵ it is clear that during most of the 1230s and 1240s he had the potential to dominate the entire Western Seaboard from Loch Linnhe to Loch Long on behalf of the king.

Yet despite Alexander II's many well-laid plans, the Isles and much of mainland Argyll was not absorbed into the Scottish kingdom. Scottish influence in the region may have increased as a result of his policies but during the 1240s it is evident that Alexander's influence

⁷² *Ibid.*, 34.

⁷³ *Ibid.*, 35.

⁷⁴ *The Acts of the Parliament of Scotland*, edd. T Thomson and C Innes (Edinburgh, 1814–75), i, 372.

⁷⁵ A.A.M. Duncan, 'The Earldom of Atholl in the Thirteenth Century', *The Scottish Genealogist*, vii, (1960), 2–10; Duncan, *Making of the Kingdom*, 543–545.

amongst the Hebridean kindreds was beginning to wane. One reason for this was the emergence, in the 1240s, of a new generation of Hebridean leaders who appear to have resented Scottish interference in the West and almost certainly feared that an annexation of their lands was imminent. Donnchad mac Dubhgaill disappears from the historical record after 1237, and the fact that his son, Eoghan, is known to have granted land in Lismore to the bishopric of Argyll in 1240 may indicate that he had already succeeded his father as lord of Argyll.⁷⁶ Notices of Ruairidh and Domnall meic Raonaill are similarly absent, although it is possible that Domnall is the meic Somhairle king of Argyll who fell at the Battle of Ballyshannon in 1247 whilst supporting Alexander II's ally Máel Sechnaill Ó Domhnaill.⁷⁷ Ruairidh's son Dubhgall is known to have travelled to Norway in 1248,⁷⁸ which implies that by that date Ruairidh himself was dead, although neither father or son showed much enthusiasm for the Scottish king after the 1220s. With the passing of Donnchad and Domnall, Alexander II lost important Hebridean allies, and with the advent of their sons he gained substantial new foes.

Part of the blame must be attributed to the king himself. In an effort to consolidate his control over Argyll, Alexander had begun, in the 1230s, to interfere in the affairs of the vacant see. In 1236 the pope instructed the bishop of Moray to remove Argyll from the custody of Bishop Simon of the Isles and secure an election.⁷⁹ By 1239, William, chancellor of Moray had been presented to the see but in 1241 he was drowned and Argyll was transferred to the care of Bishop Clement of Dunblane,⁸⁰ who obtained permission from both the pope and the king to move the cathedral from Lismore to a site on the mainland.⁸¹ Whilst in Clement's care the king attempted

⁷⁶ *RMS*, ii, no. 3136.

⁷⁷ *AU* s.a. 1247; *AFM* s.a. 1247; *ALC* s.a. 1247. I hope to discuss the evidence for an alliance of Alexander II with the Ó Domhnaill kings of Cenél Conaill elsewhere. Although I am inclined to accept Duffy's identification of Domhnall mac Raonaill with the MacSomhairle *rí Airir Gaidil* slain at Ballyshannon, it is also possible that the king slain there was Donnchadh mac Dubhgaill's brother Dubhgall Screech who was evidently recognised as a king in 1230. See S. Duffy, 'The Bruce Brothers and the Irish Sea World, 1306–1329', *CMGS*, 21, (1991), 55–86 at 68.

⁷⁸ Anderson, *ESSH*, ii, 548.

⁷⁹ J. Dowden, *The Bishops of Scotland* (Glasgow, 1912), 377.

⁸⁰ *Ibid.*, 378–379.

⁸¹ Duncan, *Making of the Kingdom*, 549; Duncan and Brown, 'Argyll and the Isles', 209–210.

to increase the revenues of the bishopric by granting to it the patronage of the church of Killechan in 1243.⁸² The king's intervention during the 1230s is unlikely to have caused Donnchad mac Dubhgaill much concern, but it is clear that as the 1240s progressed it increasingly alarmed his son Eoghan, who may have been appropriating the revenues to himself. Tied to these events should also be seen the Scottish Benedictines' efforts to summon the abbot of Iona to their general council, a process which was greatly resented by the Iona community.⁸³

Evidently Alexander II was attempting to intensify his hold over Argyll and his efforts did not go unnoticed by the principal Hebridean kindreds. His authority was already acknowledged in mid-Argyll east of Loch Awe, and by interfering in the diocese and granting it rights over Killechan in southern Kintyre he may have offended both Eoghan and Domnaill mac Raonaill's son, Aonghus, who surely regarded themselves as the rightful patrons.⁸⁴ The gravity of the situation was increased by Alexander's attempts to purchase the Isles from Håkon IV in 1244 and 1248.⁸⁵ Knowledge of both attempts must have been widespread in the Hebrides and they can only have fuelled fears that the loss of their independence was imminent. It was therefore little wonder that in the last years of King Alexander's reign the Hebrideans looked to patrons outside of Scotland for support. The appeals made by the monks of Iona and Dubhgaill mac Suibhne for papal protection in 1247,⁸⁶ and the journeys made by

⁸² *OPS*, ii, I, 21–22. Eoghan had granted 14 pennylands to Bishop William on 22 May 1240: *RMS*, ii, no. 3136. Since those lands lay on the Isle of Lismore in the heart of Eoghan's lordship it is more than likely that he appropriated the revenues to himself during the seven year vacancy which followed Bishop William's death in 1241.

⁸³ *Calendar of entries in the Papal Registers relating to Great Britain and Ireland: Papal Letters*, edd. W.H. Bliss and others (London, 1893–), i, 231.

⁸⁴ Killechan had been under the patronage of Ruairidh mac Raonaill in the early thirteenth century and Aonghus mac Domnaill probably viewed the right to presentation as a heritable prerogative of his lordship.

⁸⁵ Anderson, *ESSH*, ii, 539–540.

⁸⁶ *CPL*, i, 231. Innocent IV granted 'Duibgaldus, lord of the land of Macherummel in Kintyre' papal protection on 17 April 1247. Five days later the pope issued a 'mandate to the abbots of the order of St Benedict in Scotland, on petition of the abbot and convent of Hy . . . not to compel them to come to their general chapter, on the plea that they have possessions in Scotland.' In order to guarantee the monastery's freedom Innocent granted the abbot licence to use the ring and mitre on the same day. King Alexander's ruthless suppression of a revolt in Galloway in this year may have added to the increasing tension in the Hebrides: Anderson, *SAEC*, 359.

Eoghan of Argyll and Dubhghall of Garmoran to Norway in 1248,⁸⁷ must all be set against this background. That the pope was willing to grant the former, and Håkon IV was prepared to entertain the latter show that in influential arenas their appeals were considered just. Alexander II had alienated both the nobility and clergy of the Isles, and in so doing he had deprived himself of what was potentially his most important source of support.

The subsequent story of Alexander II's final campaign against Argyll is comparatively well known and need not be repeated at length.⁸⁸ After his return from Norway, Alexander II requested a meeting with Eoghan of Argyll at which he demanded that Eoghan surrender Cainburggmore Castle in the Treshnish Isles and three other castles he held from the Norwegian king in the Isles.⁸⁹ Eoghan refused the demand despite being offered 'a much larger dominion in Scotland' and was compelled to flee to the northern Hebrides where he found initial refuge in Lewis.⁹⁰ The king of Scots, who had clearly prepared a large military force for the conquest of the Isles,⁹¹ attempted to pursue him but was taken ill and died on the Isle of Kerrera on 8 July 1249.⁹² Appropriately his remains were not moved for burial to the nearby Iona Abbey, which had successfully opposed the encroachment of his church, but were returned to the mainland and interred at Melrose.⁹³ Even in death, Alexander II would receive no comfort from Argyll.

Alexander II's achievement in the West cannot be underestimated. Building upon foundations and associations established by his father in south-west Scotland, he consolidated the Scottish crown's authority in the Firth of Clyde and used the region as a base from which he was able to launch effective strikes against the West. He succeeded in involving several of his greatest subjects in his Western enterprises but he did so without prejudicing the rights of his crown. Up until the early 1240s his policies were largely successful. Stewart

⁸⁷ Anderson, *ESSH*, ii, 548.

⁸⁸ For a more detailed discussion of what follows see *ibid.*, 554–559; Anderson, *SAEC*, 360–361; Duncan and Brown, 'Argyll and the Isles', 207–210.

⁸⁹ Anderson, *ESSH*, ii, 556.

⁹⁰ *Ibid.*, n. 7.

⁹¹ *Ibid.*, 555 and n. 6.

⁹² *Ibid.*, 558.

⁹³ *Ibid.*

expansionism was contained within acceptable limits in the southwest, and throughout the 1230s good relations with the leading Hebridean kindreds appeared to make the eventual and peaceful absorption of Argyll and the Isles into the Scottish kingdom a distinct possibility. Hebridean loyalties were, however, notoriously fickle, and as the leaders of that generation which had entered into amicable, even mutually beneficial, relations with the king in the 1220s passed away, Alexander found himself devoid of allies in the West. That was largely as a result of his own later policies that alienated the descendants of Somhairle, and were too oppressive for sections of the Hebridean church, unaccustomed to being forced into subjection. By 1249, conquest was the only option left open to the king. His death in the attempt meant that the Hebrideans gained a reprieve, but it was only temporary. The foundations that he had laid for the conquest of the West were solid and fourteen years later they would be utilised by his son to fulfil his vision.

LIST OF ABBREVIATIONS

<i>Aberdeen Charters</i>	<i>Charters and other Writs Illustrating the History of the Royal Burgh of Aberdeen</i> , ed. P.J. Anderson (Aberdeen, 1890).
<i>AFM</i>	<i>The Annals of the Kingdom of Ireland by the Four Masters</i> , ed. J. O'Donovan, 7 vols (Dublin, 1848–51).
<i>ALC</i>	<i>The Annals of Loch Cé</i> , ed. W.M. Hennesey, 2 vols, (Rolls Series, 1881).
<i>APS</i>	<i>The Acts of the Parliaments of Scotland</i> , ed. T. Thomson and C. Innes (Record Commission, 1814–75).
Anderson, <i>Early Sources</i>	A.O. Anderson, <i>Early Sources of Scottish History A.D. 500–1286</i> , 2 vols (Edinburgh 1922).
Anderson, <i>Annals</i>	A.O. Anderson, <i>Scottish Annals from English Chroniclers, A.D. 500 to 1286</i> (London, 1908; revised edition, Stamford, 1991).
<i>Arbroath Liber</i>	<i>Liber Sancti Thome de Aberbrothoc</i> , edd. C. Innes and P. Chalmers, 2 vols (Bannatyne Club, 1848).
<i>AT</i>	Whitley Stokes, <i>The Annals of Tigernach</i> , 2 vols (reprint, Felinfach, 1993).
<i>Atlas</i>	P.G.B. McNeill and H.L. MacQueen (eds), <i>Atlas of Scottish History to 1707</i> (Edinburgh, 1996).
<i>AU</i>	<i>The Annals of Ulster</i> , edd. W.M. Hennesey and B. MacCarthy, 4 vols (Dublin, 1887–1901).
<i>Ayr Charters</i>	<i>Charters of the Royal Burgh of Ayr</i> (Ayrshire and Wigtonshire Archaeological Association, 1883).
<i>Ayr Friars Chrs</i>	<i>Charters of the Friars Preachers of Ayr</i> (Archaeological and Historical Collections relating to Ayrshire and Galloway, 1881).
<i>Balmerino Liber</i>	<i>Liber Sancte Marie de Balmorinach</i> (Abbotsford Club, 1841).

<i>Cambuskenneth Registrum</i>	<i>Registrum Monasterii S. Marie de Cambuskenneth</i> (Grampian Club, 1872).
<i>CCR</i>	<i>Calendar of Close Rolls</i> (London, 1900–).
<i>CDI</i>	<i>Calendar of Documents relating to Ireland</i> , edd. H. Sweetman and others (London, 1875–86).
<i>CDS</i>	<i>Calendar of Documents relating to Scotland</i> , edd. J. Bain and others (Edinburgh, 1884–1985).
<i>Chron. Boece</i>	Hector Boece, <i>The Chronicles of Scotland</i> , trans. Bellenden (1531), ii, edd. Batho and Husbands (Scottish Text Society, 1941).
<i>Chron. Bower</i>	<i>Scotichronicon by Walter Bower in Latin and English</i> , gen. ed. D.E.R. Watt, 9 vols (Aberdeen/Edinburgh, 1987–98).
<i>Chron. Fordun</i>	<i>Johannis de Fordun Chronica Gentis Scottorum</i> , ed. W.F. Skene (Edinburgh, 1871).
<i>Chron. Lanercost</i>	<i>Chronicon de Lanercost</i> (Bannatyne Club, 1839).
<i>Chron. Mann</i>	<i>Chronicle of the Kings of Mann and the Isles (Recortys Reeaghyn Vannin as ny hEllayn)</i> , edd. G. Broderick and B. Stowell (Edinburgh, 1973).
<i>Chron. Melrose</i>	<i>The Chronicle of Melrose from the Cottonian Manuscript, Faustina B ix in the British Museum: a complete and full-size facsimile in collotype</i> , with intro. by A.O. Anderson and M.O. Anderson, and index by W. Croft Dickinson (London, 1936).
<i>Chron. Picts and Scots</i>	W.F. Skene, <i>Chronicles of the Picts, Chronicles of the Scots, and Other Early Memorials of Scottish History</i> (Edinburgh, 1867).
<i>Chron. Wyntoun</i>	Andrew of Wyntoun, <i>Orygynale Cronykil of Scotland</i> (ed. A. Laing, Edinburgh, 1872).
<i>CMCS</i>	<i>Cambridge Medieval Celtic Studies</i> .
<i>Colne Charters</i>	<i>Cartularium Prioratus de Colne</i> , ed. J.L. Fisher (Essex Archaeological Society, Occasional Publications, 1946).
<i>Cooper, Cases</i>	T.M. Cooper, <i>Select Scottish Cases of the Thirteenth Century</i> (Edinburgh, 1944).
<i>Coupar Angus Charters</i>	<i>Charters of the Abbey of Coupar Angus</i> , ed. D.E. Easson (Scottish History Society, 1947).

<i>CPL</i>	<i>Calendar of Entries in the Papal Registers: Papal Letters, 1198–1304</i> , ed. W.H. Bliss (London, 1893).
<i>CPR</i>	<i>Calendar of Patent Rolls</i> (London, 1895–).
<i>CSP Scot</i>	<i>Calendar of State Papers Relating to Scotland and Mary, Queen of Scots 1547–1603</i> , edd. J. Bain and others (Edinburgh, 1898–).
<i>David I Charters</i>	<i>The Charters of King David I</i> , ed. G.W.S. Barrow (Woodbridge, 1999).
<i>DGMR</i>	<i>The Dublin Guild Merchant Roll, c.1190–1265</i> , P. Connolly and G. Martin (eds) (Dublin, 1992).
<i>Dryburgh Liber</i>	<i>Liber S. Marie de Dryburgh</i> (Bannatyne Club, 1847).
<i>Dunfermline Registrum</i>	<i>Registrum de Dunfermelyn</i> (Bannatyne Club, 1842).
<i>Edinburgh Charters</i>	<i>Charters and Other Documents Relating to the City of Edinburgh, A.D. 1143–1540</i> (Edinburgh, 1871).
<i>ER</i>	<i>The Exchequer Rolls of Scotland</i> , J. Stuart and others (Edinburgh, 1878–1908).
<i>ESC</i>	<i>Early Scottish Charters, prior to 1153</i> , ed. A.C. Lawrie (Glasgow, 1905).
<i>Early Yorks. Chrs.</i>	<i>Early Yorkshire Charters</i> , ix, ed. C.T. Clay (Yorkshire Archaeological Society, Record Series, Extra Series, 1952).
<i>Fantosme's Chron.</i>	<i>Jordan Fantosme's Chronicle</i> , ed. R.C. Johnston (Oxford, 1981).
<i>Fife Ct Bk</i>	<i>The Sheriff Court Book of Fife 1515–22</i> , ed. W.C. Dickinson (SHS, 1928).
<i>Fraser, Douglas</i>	W. Fraser, <i>The Douglas Book</i> (Edinburgh, 1885).
<i>Froissart, Chroniques</i>	<i>Les Chroniques de Sire Jean Froissart</i> , livre 1, partie 1, chapitre lvii—1333 (published Paris 1838).
<i>Furness Coucher Book</i>	<i>The Coucher Book of Furness Abbey</i> , ed. J. Brownhill (Chetham Society, 1915–19).
<i>Glasgow Charters</i>	<i>Charters and Other Documents Relating to the City of Glasgow</i> (Glasgow, 1894–97).
<i>Glasgow Registrum</i>	<i>Registrum Episcopatus Glasguensis</i> (Bannatyne and Maitland Clubs, 1843).
<i>Hacon's Saga</i>	<i>Icelandic Sagas</i> , iv, <i>The Saga of Hacon and a Fragment of the Saga of Magnus</i> , trans. G.W. Dasent (Rolls Series, 1894).
<i>Highland Papers</i>	<i>Highland Papers</i> , ed. J.R.N. Macphail, 4 vols (Scottish History Society, 1914–1934).

- Hist. des ducs.* *Histoire des ducs de Normandie et des rois d'Angleterre*, ed. F. Michel (Société de l'histoire de France, 1840).
- Holm Cultram Register* *The Register and Records of Holm Cultram*, edd. F. Grainger and W.G. Collingwood (Cumberland and Westmorland Archaeological and Antiquarian Society, 1929).
- Holyrood Liber* *Liber Cartarum Sancte Crucis* (Bannatyne Club, 1840).
- Howden, *Chronica* Roger of Howden, *Chronica*, ed. W. Stubbs, 4 vols (Rolls Series, London, 1868–71).
- Inchaffray Chrs* *Charters, Bulls and Other Documents Relating to the Abbey of Inchaffray*, edd. W.A. Lindsay, J. Dowden and J.M. Thomson (Scottish History Society, 1908).
- Isles* *Acts of the Lords of the Isles*, ed. J. Munro and R.W. Munro (Scottish History Society, 1986).
- Jur Rev* *Juridical Review*.
- Kelso Liber* *Liber Sancte Marie de Calchou* (Bannatyne Club, 1846).
- Kinloss Recs* *Records of the Monastery of Kinloss*, ed. J. Stuart (Edinburgh, 1872).
- Lanercost Cartulary* *The Lanercost Cartulary*, ed. J.M. Todd (Surtees Society, 1997).
- Laxdaela Saga* *Laxdaela Saga*, edd. M. Magnusson and H. Pálsson (Harmondsworth, 1969).
- Lennox Charters* *Cartularium Comitatus de Levenax* (Maitland Club, 1833).
- Liber Censuum* *Le liber censuum de l'Eglise romaine*, ed. P. Fabre and L. Duchesne (3 vols, Paris, 1889–1952).
- Lindores Charters* *Chartulary of the Abbey of Lindores, 1195–1479*, ed. J. Dowden (Scottish History Society, 1903).
- MacQueen, *CLFS* H.L. MacQueen, *Common Law and Feudal Society in Medieval Scotland* (Edinburgh, 1993).
- Melrose Liber* *Liber Sancte Marie de Melrose* (Bannatyne Club, 1837).
- Mem. Walt. Cov.* *Memoriale fratris Walteri de Coventria*, ed. W. Stubbs (Rolls Series, 1872–3).
- Midlothian Charters* *Charters of the Hospital of Soltre, of Trinity College, Edinburgh, and other Collegiate Churches in Midlothian* (Bannatyne Club, 1861).

<i>Moray Registrum</i>	<i>Registrum Episcopatus Moraviensis</i> (Bannatyne Club, 1837).
<i>Newbattle Registrum</i>	<i>Registrum S. Marie de Neubottle</i> (Bannatyne Club, 1849).
<i>OPS</i>	<i>Origines Parochiales Scotiae</i> (Bannatyne Club, 1854).
<i>Orkneyinga Saga</i>	<i>Icelandic Sagas</i> , iii, <i>The Orkneyingers' Saga</i> , trans. G.W. Dasent (Rolls Series, 1894).
<i>Paisley Registrum</i>	<i>Registrum Monasterii de Passelet</i> (Maitland Club, 1832).
Palgrave, <i>Documents</i>	<i>Documents and Records Illustrating the History of Scotland</i> , ed. F. Palgrave (London, 1837).
Paris, <i>Chron. Majora</i>	Matthew Paris, <i>Chronica Majora</i> , ed. H.R. Luard (London, 1872–83).
<i>PSAS</i>	<i>Proceedings of the Society of Antiquaries of Scotland</i>
<i>RCAHMS, Edinburgh</i>	Royal Commission on the Ancient and Historical Monuments of Scotland, <i>Inventory of Ancient Monuments in the City of Edinburgh</i> (HMSO, 1951).
<i>Rievaulx Charters</i>	<i>Cartularium Abbathiae de Rievaille</i> , ed. J.C. Atkinson (Surtees Society, 1889).
<i>RMS</i>	<i>Registrum Magni Sigilli Regum Scotorum</i> , edd. J.M. Thompson and others (Edinburgh, 1882–1914).
<i>Rot. de Obl.</i>	<i>Rotuli de Oblatis et Finibus in Turri Londinensi asservati</i> , ed. T.D. Hardy (Record Commission, 1835).
<i>Rot. Litt. Claus.</i>	<i>Rotuli Literarum Clausarum in Turri Londinensi Asservati</i> , ed. T.D. Hardy (Record Commission, 1833–34).
<i>Rot. Litt. Pat.</i>	<i>Rotuli Litterarum Patentium in Turri Londinensi asservati</i> , ed. T.D. Hardy (Record Commission, 1835).
<i>RPC</i>	<i>Register of the Privy Council of Scotland</i> , edd. J.H. Burton and others (Edinburgh, 1877–).
<i>RRS, i</i>	<i>Regesta Regum Scotorum</i> , i, <i>The Acts of Malcolm IV</i> , ed. G.W.S. Barrow (Edinburgh, 1960).
<i>RRS, ii</i>	<i>Regesta Regum Scotorum</i> , ii, <i>The Acts of William I</i> , ed. G.W.S. Barrow (Edinburgh, 1971).
Rymer, <i>Foedera</i>	<i>Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica</i> , ed. T. Rymer (London, 1816–69).
<i>St. Andrews Liber</i>	<i>Liber Cartarum Prioratus Sancti Andree in Scotia</i> (Bannatyne Club, 1841).

<i>St. Giles Register</i>	<i>Registrum Cartarum S. Egidii de Edinburgh</i> (Bannatyne Club, 1859).
<i>St. John Charters</i>	<i>The Knights of St John of Jerusalem in Scotland</i> , edd. I.B. Cowan, P.H.R. Mackay and A. Macquarrie (Scottish History Society, 1983).
SBRS	Scottish Burgh Record Society.
<i>Scone Liber</i>	<i>Liber Ecclesie de Scon</i> (Bannatyne Club, 1843).
SHR	<i>Scottish Historical Review</i> .
SHS	Scottish History Society.
SRS	Scottish Record Society.
<i>Stirling Charters</i>	<i>Charters and Other Documents Relating to the Royal Burgh of Stirling, 1124–1705</i> , ed. R. Renwick (Glasgow, 1894).
TA	<i>Accounts of the Lord High Treasurer of Scotland</i> , edd. T. Dickinson and others (Edinburgh, 1877–).
Theiner, <i>Vet. Mon.</i>	<i>Vetera Monumenta Hibernorum et Scotorum Historiam Illustrantia</i> , ed. A. Theiner (Rome, 1864).
TDGNHAS	<i>Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society</i> .
Watt, <i>Biographical Dictionary</i>	D.E.R. Watt, <i>A Biographical Dictionary of Scottish University Graduates to A.D. 1410</i> (Oxford, 1977).
Watt, <i>Fasti</i>	D.E.R. Watt (ed.), <i>Fasti Ecclesiae Scoticanæ Mediæ Aevi ad Annum 1638</i> (2nd draft, Scottish Record Society, 1969).
Wendover, <i>Flores Hist.</i>	Roger of Wendover, <i>Flores Historiarum</i> , ed. H.G. Hewlett (Rolls Series, 1886–9).

BIBLIOGRAPHY

Primary

Unpublished

British Library, London, MS Additional 33,245, fo. 44r.

British Library, London, MS Additional 18111.

Dumbarton Burgh Archive.

DBA, Ms 1/3/1.

Edinburgh City Archives.

M. Wood, Ms. 'Survey of the development of Edinburgh'.

National Archives of Scotland, Edinburgh.

CH2/97/4, 22 November 1722.

GD 124/1/424.

RH1/2/48.

RH1/2/62.

Public Record Office Northern Ireland, Belfast.

D623/B7/1/1–2.

University of St Andrews Archives.

'Registrum evidentiarium civitatis Sancti Andree'. B.65/1/1.

Published

Accounts of the Lord High Treasurer of Scotland, edd. T. Dickinson and others (Edinburgh, 1877–).

Acts of the Lords of the Isles, edd. J. Munro and R.W. Munro (Scottish History Society, 1986).

The Acts of the Parliaments of Scotland, edd. T. Thomson and C. Innes (Record Commission, 1814–75).

Analyses de Reconnaissances de Dettes Passées Devant L'Échevin d'Ypres, 1249–1291, ed. C. Wyffels (Brussels, 1991).

A.O. Anderson, *Early Sources of Scottish History AD 500–1286*, 2 vols (Edinburgh, 1922).

A.O. Anderson, *Scottish Annals from English Chroniclers, AD 500 to 1286* (London, 1908; revised edition, Stamford, 1991).

Andrew of Wyntoun, *Orygynale Cronykil of Scotland* (ed. A Laing, Edinburgh, 1872).

Anglo-Scottish Relations, 1174–1328, ed. E.L.G. Stones (reprinted, Oxford, 1970).

The Annals of the Kingdom of Ireland by the Four Masters, ed. J. O'Donovan, 7 vols., (Dublin, 1848–51).

The Annals of Loch Cé, ed. W.M. Hennesey, 2 vols., (Rolls Series, 1881).

The Annals of Ulster, edd. W.M. Hennesey and B. MacCarthy, 4 vols., (Dublin, 1887–1901).

Ayr Burgh Charters (Ayrshire and Wigtonshire Archaeological Association, 1883).

Bartholomew de Cotton, *Historia Anglicana*, ed. H.R. Luard (Rolls Series, 1859).

E.C. Batten, *The Charters of the Priory of Beaulieu with notices of the Priories of Pluscardine and Ardochattan, and of the founder John Bysset* (Grampian Club, 1877).

- Hector Boece, *The Chronicles of Scotland*, trans. Bellenden (1531), ii, edd. Batho and Husbands (Scottish Text Society, 1941).
- The Book of Fees*, ed. H.C. Maxwell Lyte (London, 1920–31).
- Calendar of Close Rolls* (London, 1900–).
- Calendar of Documents relating to Ireland*, edd. H. Sweetman and others (London, 1875–86).
- Calendar of Documents relating to Scotland*, edd. J. Bain and others (Edinburgh, 1884–1985).
- Calendar of Entries in the Papal Registers: Papal Letters, 1198–1304*, ed. W.H. Bliss (London, 1893).
- Calendar of Inquisitions Miscellaneous* (London, 1916–).
- Calendar of Justiciary Rolls, Ireland*, ed. J. Mills (Dublin and London, 1905–14).
- Calendar of Liberate Rolls, 1226–40* (London, 1916).
- Calendar of Liberate Rolls, 1245–1251* (London).
- Calendar of Patent Rolls* (London, 1895–).
- Calendar of State Papers Relating to Scotland and Mary, Queen of Scots 1547–1603*, edd. J. Bain and others (Edinburgh, 1898–).
- Cartularium Abbatiae de Rievalle*, ed. J.C. Atkinson (Surtees Society, 1889).
- Cartularium Comitatus de Levenax* (Maitland Club, 1833).
- Cartularium Prioratus de Colne*, ed. J.L. Fisher (Essex Archaeological Society, Occasional Publications, 1946).
- Charters and other Writs Illustrating the History of the Royal Burgh of Aberdeen*, ed. P.J. Anderson (Aberdeen, 1890).
- Charters and Other Documents Relating to the Royal Burgh of Stirling, 1124–1705*, ed. R. Renwick (Glasgow, 1894).
- Charters and Other Documents Relating to the City of Edinburgh, A.D. 1143–1540* (Edinburgh, 1871).
- Charters and Other Documents Relating to the City of Glasgow* (Glasgow, 1894–97).
- Charters, Bulls and Other Documents Relating to the Abbey of Inchaffray*, edd. W.A. Lindsay, J. Dowden and J.M. Thomson (Scottish History Society, 1908).
- Charters of the Abbey of Coupar Angus*, ed. D.E. Easson (Scottish History Society, 1947).
- Charters of the Hospital of Soltre, of Trinity College, Edinburgh, and other Collegiate Churches in Midlothian* (Bannatyne Club, 1861).
- The Charters of King David I*, ed. G.W.S. Barrow (Woodbridge, 1999).
- Charters of the Royal Burgh of Ayr* (Edinburgh, 1883).
- Chartulary of the Abbey of Lindores, 1195–1479*, ed. J. Dowden (Scottish History Society, 1903).
- Chronicle of the Kings of Mann and the Isles (Recortys Reeaghyn Vannin as ny hEllayn)*, ed. G. Broderick and B. Stowell (Edinburgh, 1973).
- The Chronicle of Melrose from the Cottonian Manuscript, Faustina B ix in the British Museum: a complete and full-size facsimile in collotype*, with intro. by A.O. Anderson and M.O. Anderson, and index by W.C. Dickinson (London, 1936).
- Chronicon de Lanercost* (Bannatyne Club, 1839).
- Les Chroniques de Sire Jean Froissart*, livre 1, partie 1, chapitre lvii—1333 (published Paris, 1838).
- The Coucher Book of Furness Abbey*, ed. J. Brownhill (Chetham Soc., 1915–19).
- Curia Regis Rolls* (London, 1922–).
- Documents and Records illustrating the History of Scotland*, ed. F. Palgrave (London, 1837).
- The Dublin Guild Merchant Roll, c.1190–1265*, edd. P. Connolly and G. Martin (Dublin, 1992).
- Dumbarton Common Good Accounts, 1614–1660*, edd. F. Roberts & I.M.M. MacPhail (Dumbarton, 1972).
- Early Scottish Charters, prior to 1153*, ed. A.C. Lawrie (Glasgow, 1905).
- Early Yorkshire Charters*, ix, ed. C.T. Clay (Yorkshire Archaeological Society, Record Series, Extra Series, 1952).

- English Episcopal Acta IX: Winchester 1205–1238*, ed. N. Vincent (Oxford, 1994).
- English Historical Documents*, iii, *The Exchequer Rolls of Scotland*, J. Stuart and others (Edinburgh, 1878–1908).
- Facsimiles of the National Manuscripts of Scotland* (London, 1867–71).
- Final Concords of the County of Lancaster*, ed. W. Farrer (Lancashire and Cheshire Record Soc., 1899–1910).
- Flores Historiarum*, ed. H.R. Luard (London, 1890).
- Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica*, ed. T. Rymer (London, 1816–69).
- Formularies Which Bear on the History of Oxford*, ii, edd. H.E. Salter and others (Oxford Historical Society, 1942).
- Francesco Balducci Pegolotti, *La Pratica della Mercatura*, ed. A. Evans (Cambridge, Mass., 1936).
- Gerald of Wales, *Opera*, edd. J.S. Brewer and others (Rolls Series, 1861–91).
- The Great Roll of the Pipe* (Pipe Roll Society, 1932–).
- Highland Papers*, ed. J.R.N. Macphail, 4 vols. (Scottish History Society, 1914–1934).
- Histoire des ducs de Normandie et des rois d'Angleterre*, ed. F. Michel (Société de l'histoire de France, 1840).
- L'Histoire de Guillaume le Maréchal*, ed. P. Meyer (Société de l'histoire de France, 1891–1901).
- The Historical Works of Gervase of Canterbury*, ed. W. Stubbs (Rolls Series, 1879–80).
- Icelandic Sagas*, iii, *The Orkneyingers' Saga*, trans. G.W. Dasent (Rolls Series, 1894).
- Icelandic Sagas*, iv, *The Saga of Hacon and a Fragment of the Saga of Magnus*, trans. G.W. Dasent, (Rolls Series, 1894).
- Inventaire des sceaux Vaudois* (Lausanne, 1937).
- Jean de Joinville and Geoffrey de Villehardouin, *Chronicles of the Crusades*, ed. M.R. B. Shaw (Harmondsworth, 1963).
- Johannis de Fordun Chronica Gentis Scottorum*, ed. W.F. Skene (Edinburgh, 1871).
- John of Fordun's Chronicle of the Scottish Nation*, trans. F.J.H. Skene (Edinburgh, 1872).
- Jordan Fantosme's Chronicle*, ed. R.C. Johnston (Oxford, 1981).
- The Knights of St John of Jerusalem in Scotland*, edd. I.B. Cowan, P.H.R. Mackay and A. Macquarrie (Scottish History Society, 1983).
- The Lanercost Cartulary*, ed. J.M. Todd (Surtees Society, 1997).
- Laxdaela Saga*, edd. M. Magnússon and H. Pálsson (Harmondsworth, 1969).
- Leges Burgorum*, c. xciv; *Assise Regis Willelmi*, c. xxxix, in C. Innes (ed.) *Ancient Burgh Laws* (SBRs, 1868).
- The Letters and Charters of Cardinal Guala Bicchieri, Papal Legate in England, 1216–1218*, ed. N. Vincent (Canterbury and York Society, 1996).
- The Letters of Pope Innocent III (1198–1216) concerning England and Wales*, ed. C.R. Cheney and M.G. Cheney (Oxford, 1967).
- Liber Cartarum Prioratus Sancti Andree in Scotia* (Bannatyne Club, 1841).
- Liber Cartarum Sancte Crucis* (Bannatyne Club, 1840).
- Le liber censuum de l'Eglise romaine*, edd. P. Fabre and L. Duchesne (3 vols, Paris, 1889–1952).
- Liber Ecclesie de Scon* (Bannatyne Club, 1843).
- Liber S. Marie de Dryburgh* (Bannatyne Club, 1847).
- Liber Sancte Marie de Balmorinach* (Abbotsford Club, 1841).
- Liber Sancte Marie de Calchou* (Bannatyne Club, 1846).
- Liber Sancte Marie de Melrose* (Bannatyne Club, 1837).
- Liber Sancti Thome de Aberbrothoc*, edd. C. Innes and P. Chalmers, 2 vols, (Bannatyne Club, 1848).
- John Major, *History of Greater Britain 1521*, trans. A Constable (Scottish History Society, 1892).
- Matthew Paris, *Chronica Majora*, ed. H.R. Luard (London, 1872–83).

- Memoranda Rolls, 16–17 Henry III*, ed. R.A. Brown (London, 1991).
- The Memoranda Roll of the King's Remembrancer for Michaelmas, 1230—Trinity, 1231*, ed. C. Robinson (Princeton, 1933).
- Memoriale fratris Walteri de Coventria*, ed. W Stubbs (Rolls Series, 1872–3).
- Municipal Corporations Report (Scotland), XXIII, Report 1835/36, App. 8.
- Oorkondenboek van Holland en Zeeland tot 1299*, ed. J.G. Kruisheer (Assen, 1970–).
- The Original Chronicle of Andrew of Wyntoun* (Scottish Text Society, 1903–14).
- Origines Parochiales Scotiae*, (Bannatyne Club, 1854).
- Orkneyinga Saga*, ed. J. Anderson (facsimile edition, Edinburgh, 1975).
- Orkneyinga Saga: the history of the Earls of Orkney*, trans. with an introduction by H. Pálsson and P. Edwards (Harmondsworth, 1981).
- Patent Rolls of the Reign of Henry III, 1216–25* (London, 1901).
- Pipe Roll 26 Henry III*, ed. H.L. Cannon (New Haven, 1918).
- Richard Pococke, *Tours in Scotland, 1747, 1750, 1760*, ed. D.W. Kemp (Edinburgh, 1887).
- Ralph de Diceto, *Opera Historica*, ed. W. Stubbs (Rolls Series, 1876).
- Records of the Monastery of Kinloss*, ed. J. Stuart (Edinburgh, 1872).
- Regesta Regum Scotorum*, i, *The Acts of Malcolm IV*, ed. G.W.S. Barrow (Edinburgh, 1960).
- Regesta Regum Scotorum*, ii, *The Acts of William I*, ed. G.W.S. Barrow (Edinburgh, 1971).
- The Register and Records of Holm Cultram*, edd. F. Grainger and W.G. Collingwood (Cumberland and Westmorland Archaeological and Antiquarian Society, 1929).
- Register of the Privy Council of Scotland*, edd. J.H. Burton and others (Edinburgh, 1877–).
- Registrum Antiquissimum of the Cathedral Church of Lincoln*, edd. C.W. Foster and K. Major, 12 vols (Lincoln Record Society, 1931–73).
- Registrum Cartarum S. Egidii de Edinburgh* (Bannatyne Club, 1859).
- Registrum de Dunfermelyn* (Bannatyne Club, 1842).
- Registrum Episcopatus Glasguensis* (Bannatyne and Maitland Clubs, 1843).
- Registrum Episcopatus Moraviensis* (Bannatyne Club, 1837).
- Registrum Magni Sigilli Regnum Scotorum*, edd. J.M. Thompson and others (Edinburgh, 1882–1914).
- Registrum Monasterii de Passelet* (Maitland Club, 1832).
- Registrum Monasterii de Passelet*, ed. C. Innes (New Maitland Club, 1877).
- Registrum Monasterii S. Marie de Cambuskenneth* (Grampian Club, 1872).
- Registrum S. Marie de Neubotle* (Bannatyne Club, 1849).
- Roger of Howden, *Chronica*, ed. W Stubbs, 4 vols (Rolls Series, London, 1868–71).
- Roger of Wendover, *Flores Historiarum*, ed. H.G. Hewlett (Rolls Series, 1886–9).
- Roll of Arms of Henry III*, ed. T.D. Triller (London, 1967).
- Roll of Divers Accounts*, ed. F.A. Cazel (Pipe Roll Society, 1982).
- Rotuli Litterarum Clausarum in Turri Londinensi Asservati*, ed. T.D. Hardy (Record Commission, 1833–34).
- Rotuli Litterarum Patentium in Turri Londinensi Asservati*, ed. T.D. Hardy (Record Commission, 1835).
- Rotuli de Oblatis et Finibus in Turri Londinensi Asservati*, ed. T.D. Hardy (Record Commission, 1835).
- Rotuli Parliamentorum ut et Petitiones et Placita in Parlamento* (London, 1767–77).
- Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensis Asservati*, D. Macpherson and others (1814–19).
- Royal . . . Letters illustrative of the Reign of Henry III*, ed. W.W. Shirley (Rolls Series, 1862–6).
- Scotia Pontificia: Papal Letters to Scotland before the Pontificate of Innocent III*, ed. R Somerville (Oxford, 1982).
- Scotichronicon by Walter Bower in Latin and English*, gen. ed. D.E.R. Watt, 9 vols (Aberdeen/Edinburgh, 1987–98).

- W.F. Skene, *Chronicles of the Picts, Chronicles of the Scots, and Other Early Memorials of Scottish History* (Edinburgh, 1867).
Selected Letters of Pope Innocent III concerning England (1198–1216), ed. C.R. Cheney and W.H. Semple (London, 1953).
The Sheriff Court Book of Fife 1515–22, ed. W.C. Dickinson (SHS, 1928).
Statuta Capitulum Generalium Ordinis Cisterciensis ab anno 1116 an annum 1786, ed. J.-M. Canivez (Louvain, 1933–39).
Statutes of the Scottish Church, 1225–1559, ed. D. Patrick (Scottish History Society, 1907).
The Tax Book of the Cistercian Order, edd. A.O. Johnsen and P. King (Oslo, 1979).
 Whitley Stokes, *The Annals of Tigernach*, 2 vols (reprint, Felinfach, 1993).
William of Malmesbury Gesta Regum Anglorum: History of the English Kings, ed. and trans. R.A.B. Mynors, completed by R.M. Thomson and M Winterbottom (Oxford, 1998).
 E.L.G. Stones and G.G. Simpson, *Edward I and the Throne of Scotland, 1290–1296*, 2 vols (Oxford, 1976).
Vetera Monumenta Hibernorum et Scotorum Historiam Illustrantia, ed. A. Theiner (Rome, 1864).
Vetus Registrum Sarisberiense, ed. W.H. Rich Jones (London, 1883–4).
Yorkshire Inquisitions of the Reigns of Henry III and Edward I, ed. W. Brown (Yorkshire Archaeological Society, Record Series, 1892–1906).

Secondary

Theses

- G.G. Simpson, 'An Anglo-Scottish Baron of the Thirteenth Century: The Acts of Roger de Quincy, Earl of Winchester and Constable of Scotland' (unpublished Edinburgh University PhD thesis, 1965).
 R.J.D. Torrie, 'Central Dunfermline: an analysis of the 1988 road network and the geographical factors that determined its layout' (unpublished typescript, 1988).

Books

- Adam-Even, P. and Jéquier, *L'Armorial Wijnbergen*, no. 8 (Arcives heraldique Suisse, Lausanne, 1954).
 Anderson, M.O., *Kings and Kingship in Early Scotland*, 2nd edn (Edinburgh, 1980).
 Appleby, J.C. and Dalton, P. (eds), *Government, Religion and Society in Northern England, 1000–1700* (Stroud, 1997).
 Baldwin, J.W., *The Government of Philip Augustus: Foundations of French Royal Power in the Middle Ages* (London, 1986).
 Barlow, F., *The English Church, 1066–1154* (London, 1979).
 Barrell, A.D.M., *The Papacy, Scotland and Northern England, 1342–1378* (Cambridge, 1995).
 Barrow, G.W.S., *The Kingdom of the Scots: Government, Church and Society from the eleventh to the fourteenth century* (London, 1973).
 —, *The Anglo-Norman Era in Scottish History* (Oxford, 1980).
 —, *Kingship and Unity: Scotland 1000–1306* (London, 1981).
 —, *David I of Scotland (1124–53): The Balance of New and Old* (University of Reading, Stenton Lecture, 1985).
 —, *Robert Bruce and the community of the realm of Scotland*, 3rd edn (Edinburgh, 1988).
 Barry, T.B., Frame, R. and Simms, K. (eds), *Colony and Frontier in Medieval Ireland: essays presented to J.F. Lydon* (London, 1995).
 Bartlett, R., *Trial by Fire and Water: the medieval judicial ordeal* (Oxford, 1986).
 Bates, D. and Curry, A (eds), *England and Normandy in the Middle Ages* (London, 1994).

- Bellomo, M. (trans L.G. Cochrane), *The Common Legal Past of Europe 1100–1800* (Washington DC, 1995).
- Berman, H.J., *Law and Revolution: the Formation of the Western Legal Tradition* (Harvard, 1983).
- Björn, C., Grant, A. and Stringer, K.J. (eds), *Social and Political Identities in Western History* (Copenhagen, 1994).
- Boardman, S., *The Early Stewart Kings: Robert II and Robert III* (East Linton, 1996).
- Boardman, S. and Ross, A. (eds), *The Exercise of Power in Medieval Scotland, c.1200–1500* (Dublin, 2003).
- Brand, P.A., *The Making of the Common Law* (London and Rio Grande, 1992).
- Britnell, R. and Hatcher, J. (eds), *Progress and Problems in Medieval England* (Cambridge, 1996).
- Bromley, J. and Child, H., *The Armorial Bearings of the Guilds of London* (London, 1960).
- Brotherstone, T. and Ditchburn, D. (eds), *Freedom and Authority: Historical and Historiographical Essays Presented to Grant G. Simpson* (East Linton, 2000).
- Broun, D., Finlay, R. and Lynch, M. (eds), *Image and Identity: The Making and Remaking of Scotland through the Ages* (Edinburgh, 1998).
- Broun, D., *The Irish Identity of the Kingdom of the Scots in the Twelfth and Thirteenth Centuries* (Woodbridge, 1999).
- Brown, M., *James I* (East Linton, 1994).
- , *The Black Douglases: War and Lordship in Late Medieval Scotland 1300–1455* (East Linton, 1998).
- Brown, R.A., *Castles, Conquests and Charters: Collected Papers* (Woodbridge, 1989).
- Cairns, J.W. and Robinson, O.F. (eds), *Critical Studies in Ancient Law, Comparative Law and Legal History: Essays in honour of Alan Watson* (Oxford, 2001).
- Cairns, T., *Medieval Knights* (Cambridge, 1992).
- Carpenter, D.A., *The Minority of Henry III* (London, 1990).
- Cheney, C.R., *Pope Innocent III and England* (Stuttgart, 1976).
- , *The Papacy and England, 12th–14th Centuries* (London, 1982).
- Church, S.D., *The Household Knights of King John* (Cambridge, 1999).
- (ed.), *King John: New Interpretations* (Woodbridge, 1999).
- Cooper, T.M., *Select Scottish Cases of the Thirteenth Century* (Edinburgh, 1944).
- Cosgrove, A. (ed.), *A New History of Ireland. II: Medieval Ireland, 1169–1534* (Oxford, 1987).
- Cowan, E.J. and McDonald, R.A. (eds), *Alba. Celtic Scotland in the Medieval Era* (East Linton, 2000).
- Cowan, I.B., *The Parishes of Medieval Scotland* (Edinburgh, 1967).
- Cowan, I.B. and Easson, D.E., *Medieval Religious Houses: Scotland* (2nd ed., London, 1976).
- Crawford, B.E. (ed.), *Church, Chronicle and Learning in Medieval and Renaissance Scotland* (Edinburgh, 1999).
- Crawford, E. (ed.), *Famine, The Irish Experience, 900–1900: Subsistence crises and famine in Ireland* (Edinburgh, 1989).
- Crook, D., *Records of the General Eyre* (London, 1982).
- Davies, R.R. (ed.), *The British Isles 1100–1500* (Edinburgh, 1988).
- , *Domination and Conquest: The Experience of Ireland, Scotland and Wales, 1100–1300* (Cambridge, 1990).
- Dennison, E.P. (ed.), *Conservation and Change in Historic Towns* (York, 1999).
- Dennison, E.P. and Coleman, R., *Historic Dumbarton; the archaeological implications of development* (Scottish Burgh Survey, 1999).
- , *Historic Nairn; the archaeological implications of development* (Scottish Burgh Survey, 1999).
- , *Historic Forfar; the archaeological implications of development* (forthcoming).

- Dickinson, W.C., *Scotland from the earliest times to 1603* (London & Edinburgh, 1961).
- Donaldson, G., *Scottish Kings*, (London 1967, 2nd edn. 1977).
- , *Scottish Church History* (Edinburgh, 1985).
- , *Scotland's History: Approaches and Reflections*, ed. James Kirk (Edinburgh, 1995).
- Donnelly, J.S., *The Decline of the Medieval Cistercian Laybrotherhood* (New York, 1949).
- Dowden, J., *The Bishops of Scotland* (Glasgow, 1912).
- Driscoll, S.T. and Yeoman, P.A., *Excavations Within Edinburgh Castle in 1988–1991* (Society of Antiquaries of Scotland Monograph Series, no. 12, 1997).
- Dunbar, A., *Scottish Kings. A revised chronology of Scottish history 1005–1625*, 2nd edn (Edinburgh, 1906).
- Duncan, A.A.M., *Scotland: the Making of the Kingdom* (Edinburgh, 1975).
- Ewan, E., *Townlife in Fourteenth-Century Scotland* (Edinburgh, 1990).
- Fawcett, R., *Scottish Abbeys and Priors* (London, 1994).
- , *Scottish Cathedrals* (London, 1997).
- Fenton, A. and Stell, G. (eds), *Loads and Roads in Scotland and Beyond: Land transport over 6000 years* (Edinburgh, 1984).
- Ferguson, J., *Alexander the Third* (London, 1937).
- Ferguson, P.C., *Medieval Papal Representatives in Scotland: Legates, nuncios and judges-delegate, 1125–1286* (Stair Society, 1997).
- Foster, S., MacInnes, A. and MacInnes, R. (eds), *Scottish Power Centres from the Early Middle Ages to the Twentieth Century* (Glasgow, 1998).
- Fraser, G.M., *The Bridge of Dee* (Aberdeen, 1913).
- Fraser, W., *The Douglas Book* (Edinburgh, 1885).
- Galbraith, D.L., *Handbuchlein der heraldic* (Lausanne, 1948).
- Gillingham, J., *Richard Coeur de Lion: Kingship, Chivalry and War in the Twelfth Century* (London, 1994).
- Godefroy, F., *Dictionnaire de L'Ancienne langue Francaise* (Paris, 1887–1902).
- Gordon, W.M. and Fergus, T.D. (eds), *Legal History in the Making* (London and Ronceverte, 1991).
- Grant, A. and Stringer, K.J. (eds), *Medieval Scotland: Crown, lordship and community* (Edinburgh, 1993).
- (eds), *Uniting the Kingdom? The Making of British History* (London, 1995).
- de Gray Birch, W., *Scottish Heraldic Seals* (London, 1905).
- Gregory, D., *The History of the Western Highlands and Isles of Scotland, 1493 to 1625* (1881; reprinted Edinburgh, 1981).
- Guy, J.A. and Beale, H.G. (eds), *Law and Social Change in British History* (London, 1984).
- A. Halpin, *The Port of Medieval Dublin: Archaeological excavations at the civic offices, Winetavern Street, Dublin, 1993* (Dublin, 2000).
- R.P. Hardie, *The Roads of Mediaeval Lauderdale* (Edinburgh, 1942).
- C. Harper-Bill and R. Harvey (eds), *Medieval Knighthood IV: Papers from the Fifth Strawberry Hill Conference, 1990* (Woodbridge, 1992).
- N.B. Harte and K.G. Ponting (eds), *Cloth and Clothing in Medieval Europe* (London, 1983).
- W.P. Hedley, *Northumberland Families* (Newcastle upon Tyne, 1968–70).
- R.H. Helmholz, *The Spirit of the Classical Canon Law* (Athens, Ga., 1996).
- J. Hill Burton, *History of Scotland from Agricola's Invasion to the Extinction of the last Jacobite Insurrection*, (2nd edn., Edinburgh & London, 1873).
- J.C. Holt, *Magna Carta and Medieval Government* (London, 1985).
- , *Magna Carta*, 2nd edn (Cambridge, 1992).
- , *The Northerners: A Study in the Reign of King John*, 2nd edn (Oxford, 1992).
- J.G.H. Hudson, *Land, Law and Lordship in Anglo-Norman England* (Oxford, 1994).
- J. Hudson, *The Formation of the English Common Law: Law and Society in England from the Norman Conquest to Magna Carta* (London, 1996).

- P. Hume Brown, *History of Scotland*, (Cambridge, 1902).
- J. Irving, *The History of Dumbartonshire* (Dumbarton, 1860).
- , *Royalty in Dumbartonshire* (Dumbarton, 1914).
- P. King, *The Finances of the Cistercian Order in the Fourteenth Century* (Kalamazoo, 1985).
- A. Jeanroy and H. Guy (eds), *Chanson et dits artésien au XIII^e siècle* (Bordeaux, 1898).
- K.S.B. Keats-Rohan (ed.), *Family Trees and the Roots of Politics: The Prosopography of Britain and France from the Tenth to the Twelfth Century* (Woodbridge, 1997).
- M. Keen (ed.), *Medieval Warfare: A History* (Oxford, 1999).
- D.J.C. King, *Castellarium Anglicanum: An Index and Bibliography of the Castles in England, Wales and the Islands* (London, 1983).
- A. Lang, *History of Scotland from the Roman Occupation*, (Edinburgh & London, 1900).
- Lewis and Short, *A Latin Dictionary* (Oxford, 1975).
- K.J. Leyser, *Medieval Germany and its Neighbours, 900–1250* (London, 1982).
- J. Loades (ed.), *Monastic Studies II* (Bangor, 1991).
- W.E. Lunt, *Financial Relations of the Papacy with England to 1327* (Cambridge, Mass., 1939).
- M. Lynch (ed.), *The Early Modern Town in Scotland*, (London, 1987).
- , *Scotland, A New History* (London, 1991).
- M. Lynch, M. Spearman and G. Stell (eds), *The Scottish Medieval Town* (Edinburgh, 1988).
- N. Macdougall, *James III: a Political Study* (Edinburgh, 1982).
- , *James IV* (Edinburgh, 1989).
- I. MacIvor, *Dumbarton Castle* (Historic Scotland, 1993).
- I.M.M. MacPhail, *Dumbarton Through The Centuries* (Dumbarton, 1972).
- S.R. Macphail, *History of the Religious House of Pluscardyn* (Edinburgh, 1881).
- A. Macquarrie, *Scotland and the Crusades, 1095–1560* (Edinburgh, 1985).
- H.L. MacQueen, *Common Law and Feudal Society in Medieval Scotland* (Edinburgh, 1993).
- N. Macrae, *The Romance of a Royal Burgh: Dingwall's Story of a Thousand Years* (Wakefield, 1974).
- M.R. McCarthy, H. Summerson and R.G. Annis, *Carlisle Castle: A Survey and Documentary History* (Historic Buildings and Monuments Commission for England, 1990).
- R.A. McDonald, *The Kingdom of the Isles: Scotland's Western Seaboard, c.1100–c.1336* (East Linton, 1997).
- C. McGladdery, *James II* (Edinburgh, 1990).
- H. McKechnie (ed.), *The Sources and Literature of Scots Law*, (Edinburgh, 1936).
- P.G.B. McNeill and H.L. MacQueen (eds), *Atlas of Scottish History to 1707* (Edinburgh, 1996).
- T.E. McNeill, *Anglo-Norman Ulster: the history and archaeology of an Irish barony, 1177–1400* (Edinburgh, 1980).
- F.W. Maitland, *Domesday Book and Beyond* (Cambridge, 1897).
- D. Matthew, *King Stephen* (London, 2002).
- H. Mayr-Harting and R.I. Moore (eds), *Studies in Medieval History presented to R.H.C. Davis* (London, 1985).
- D. Metcalf (ed.), *Coinage in Medieval Scotland, 1100–1600* (Oxford, 1977).
- L. Milis, *L'Ordre des Chanoines Reguliers d'Arrouaise* (Bruges, 1969).
- S.F.C. Milsom, *The Legal Framework of English Feudalism* (Cambridge, 1976).
- R.M. Mitchison, *A History of Scotland* (Edinburgh, 1970).
- M.F. Moore, *The Lands of the Scottish Kings in England* (London, 1915).
- G. Neilson, *Trial by Combat* (Glasgow, 1890).
- O. Neubecker, *Heraldry. Sources, Symbols and Meanings* (London, 1988).
- W.H.F. Nicolaisen, *Scottish Place-names; their study and significance* (London, 1976).
- J. Nicolson and R. Burn, *The History and Antiquities of . . . Westmorland and Cumberland* (London, 1777).
- S.D. Ollivant, *The Court of the Official in Pre-Reformation Scotland* (Edinburgh, 1982).

- R.D. Oram, *The Lordship of Galloway c.900–c.1300* (Edinburgh, 2000).
 —, *David I* (Stroud, 2004).
- R.D. Oram and G.P. Stell (eds), *Galloway: Land and Lordship* (Edinburgh, 1991).
Ordnance Gazetteer of Scotland, ed. F.H. Groome (Edinburgh, 1886).
- D.D.R. Owen, *William the Lion: Kingship and Culture 1143–1214* (East Linton, 1997).
- S. Painter, *The Reign of King John* (Baltimore, 1949).
- C. Petit-Dutaillis, *Étude sur la vie et le règne de Louis VIII (1187–1226)* (Paris, 1894).
- F.M. Powicke, *Stephen Langton* (Oxford, 1928).
- M. Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (London, 1996).
- G.S. Pryde, *The Burghs of Scotland: A critical list* (Glasgow, 1965).
- J. Purser, *Scotland's Music: A history of the traditional and classical music of Scotland from earliest times to the present day* (Edinburgh, 1992).
- A. Reid, *The Royal Burgh of Forfar. A Local History* (Paisley, 1902).
- N. Reid (ed.), *Scotland in the Reign of Alexander III* (Edinburgh, 1990).
- S. Reynolds, *Kingdoms and Communities in Western Europe, 900–1300* (Oxford, 1984).
 —, *Fiefs and Vassals: the medieval evidence reinterpreted* (Oxford, 1994).
- E.W. Robertson, *Scotland Under her Early Kings* (Edinburgh, 1862).
- O.F. Robinson, T.D. Fergus and W.M. Gordon, *Introduction to European Legal History*, 2nd edn (London, 1994).
- Royal Commission on the Ancient and Historical Monuments of Scotland, *Inventory of Ancient Monuments in the City of Edinburgh* (HMSO, 1951).
- J.E. Sayers, *Innocent III: Leader of Europe, 1198–1216* (London, 1994).
The Scots Peerage, ed. J.B. Paul (Edinburgh, 1904–14).
- C.W. Scott-Giles, *Civic Heraldry of England and Wales* (London, 1953).
- L. Shaw, *The History of the Province of Moray* (Edinburgh, 1775).
- A.T. Simpson and S. Stevenson, *Historic Dingwall: the archaeological implications of development* (Scottish Burgh Survey, 1982).
- G.G. Simpson (ed.), *The Scottish Soldier Abroad, 1247–1967* (Edinburgh, 1992).
- W.F. Skene, *Celtic Scotland*, (2nd edn., Edinburgh 1886–7).
- B. Smith (ed.), *Britain and Ireland, 900–1300: Insular Responses to Medieval European Change* (Cambridge, 1999).
- R. Somerville, *Scotia Pontificia* (Oxford, 1982).
- R.W. Southern, *Scholastic Humanism and the Unification of Europe: Volume I Foundations* (Oxford, 1995).
- P. Stein, *Roman Law in European History* (Cambridge, 1999).
- S. Stevenson and E.P.D. Torrie, *Historic Glasgow: the archaeological implications of development* (Scottish Burgh Survey, 1990).
- M. Strickland (ed.), *Anglo-Norman Warfare: Studies in Late Anglo-Saxon and Anglo-Norman Military Organization and Warfare* (Woodbridge, 1992).
 —, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066–1217* (Cambridge, 1996).
 — (ed.), *Armies, Chivalry and Warfare in Medieval Britain and France* (Stamford, 1998).
- K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985).
 —, *Earl David of Huntingdon, 1152–1219: a study in Anglo-Scottish history* (Edinburgh, 1985).
 —, *The Reign of Stephen: Kingship, Warfare and Government in Twelfth-Century England* (London, 1993).
- H. Summerson, *Medieval Carlisle* (Kendal, 1993).
 —, *Brougham and Brough Castles, Cumbria* (English Heritage, 1999).
- H. Summerson, M. Trueman and S. Harrison, *Brougham Castle, Cumbria: A Survey and Documentary History* (Cumberland and Westmorland Antiquarian and Archaeological Society, Research Series, 1998).
- D.W. Sutherland, *The Assize of Novel Disseisin* (Oxford, 1973).
- S. Taylor (ed.), *Kings, Clerics and Chronicles in Scotland, 500–1297* (Dublin, 2000).

- D.S. Thomson (ed.), *Gaelic and Scots in Harmony: Proceedings of the Second International Conference on the Languages of Scotland* (Glasgow, 1990).
 W.P.L. Thomson, *History of Orkney* (Edinburgh, 1987).
 L. Thorndike, *Michael Scot* (London, 1965).
 E.P.D. Torrie, *Medieval Dundee. A Town and its People* (Dundee, 1990).
 E.P.D. Torrie and R. Coleman, *Historic Kirkcaldy; the archaeological implications of development* (Scottish Burgh Survey, 1995).
 R.V. Turner, *Men Raised from the Dust: Administrative Service and Upward Mobility in Angevin England* (Philadelphia, 1988).
 C. Tyerman, *England and the Crusades, 1095–1588* (London, 1988).
 R.M. Urquhart, *Scottish Burgh and County Heraldry* (London, 1973).
 R.C. van Caenegem, *An Historical Introduction to Private Law* (Cambridge, 1992).
 W.L. Warren, *King John*, 2nd edn (London, 1978).
 D.E.R. Watt (ed.), *Fasti Ecclesiae Scoticanae Medii Aevi ad Annum 1638* (2nd draft, Scottish Record Society, 1969).
 —, *A Biographical Dictionary of Scottish University Graduates to A.D. 1410* (Oxford, 1977).
 A. Weir, *Britain's Royal Families* (London, 1996).
 F. Wieacker (trans T. Weir), *A History of Private Law in Europe* (Oxford, 1995).
 G.A. Williams, *Medieval London from Commune to Capital* (London, 1976).
 I.D. Willock, *The Origins and Development of the Jury in Scotland* (Edinburgh, 1966).
 J. Wilson (ed.), *The Victoria History of the Counties of England: Cumberland* (London, 1901–5).
 A. Winroth, *The Making of Gratian's Decretum* (Cambridge, 2000).
 G.E. Woodbine and S.E. Thorne, *Bracton's De Legibus et Consuetudinibus Angliae* (4 vols, Cambridge, Mass., 1968–77).
 J. Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442–1603* (Edinburgh, 1985).
 A. Young, *Robert the Bruce's Rivals: The Comyns, 1212–1314* (East Linton, 1997).
 R. Zimmermann and D.L. Carey Miller (eds), *The Civilian Tradition and Scots Law* (Berlin, 1997).

Articles and Essays

- Ashley, A., 'Odo, elect of Whithern, 1235', *TDGNHAS.*, xxxvii (1960).
 Austin, D., 'Barnard Castle, Co. Durham', *Journal of the British Archaeological Association*, cxxxii (1979), 50–72.
 Baird Smith, D., 'Canon law', in H. McKechnie (ed.), *The Sources and Literature of Scots Law*, (Edinburgh, 1936).
 Ballard, A., 'The theory of the Scottish burgh', *Scottish Historical Review*, xiii (1916).
 Bannerman, J., 'The Scots language and the kin-based society', in D.S. Thomson (ed.), *Gaelic and Scots in Harmony: Proceedings of the Second International Conference on the Languages of Scotland* (Glasgow, 1990).
 Barratt, N., 'The revenue of King John', *English Historical Review*, cxi (1996), 835–55.
 Barrell, A.D.M., 'The background to *Cum universi*: Scoto-papal relations, 1159–1192', *Innes Review*, xlv (1995), 116–38.
 Barrow, G.W.S., 'Early Stewarts at Canterbury', *The Stewarts*, 9 (1953), 230–3.
 —, 'Land routes: the medieval evidence' in A. Fenton and G. Stell, eds, *Loads and Roads in Scotland and Beyond: Land transport over 6000 years* (Edinburgh, 1984), 49–66.
 —, 'The Scots charter', in H. Mayr-Harting and R.I. Moore (eds), *Studies in Medieval History presented to R.H.C. Davis* (London, 1985).
 —, 'Place-dates of royal charters to 1296: William I (1165–1214)', in *Atlas of Scottish History to 1707*.

- Barrow, G.W.S., 'King David I., Earl Henry and Cumbria', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, xcix (1999), 117–27.
- Barton, J.L., 'The mystery of Bracton', *Journal of Legal History*, xiv (1993).
- Bates, D., 'The rise and fall of Normandy, c.911–1204', in *England and Normandy in the Middle Ages*, ed. D. Bates and A. Curry (London, 1994), 19–35.
- , 'The prosopographical study of Anglo-Norman royal charters', in *Family Trees and the Roots of Politics: The Prosopography of Britain and France from the Tenth to the Twelfth Century*, ed. K.S.B. Keats-Rohan (Woodbridge, 1997), 89–102.
- Blanchard, I., 'Lothian and beyond: The economy of the "English empire" of David I', in *Progress and Problems in Medieval England*, ed. R. Britnell and J. Hatcher (Cambridge, 1996), 23–45.
- Brotherstone, T. and Ditchburn, D., '1320 and A' That: The Declaration of Arbroath and the Remaking of Scottish History', in Brotherstone and Ditchburn (eds), *Freedom and Authority*.
- Broun, D., 'Defining Scotland and the Scots before the Wars of Independence', in *Image and Identity: The Making and Remaking of Scotland through the Ages*, ed. D. Broun, R. Finlay and M. Lynch (Edinburgh, 1998), 4–17.
- , 'A new look at *Gesta Annalia* attributed to John of Fordun', in *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland*, ed. B.E. Crawford (Edinburgh, 1999), 9–30.
- Brown, A.L., 'The Cistercian abbey of Saddell, Kintyre', *Innes Review*, 20 (1969), 130–37.
- Brown, M.H., 'Scotland tamed? Kings and magnates in late medieval Scotland: a review of recent work', *Innes Review*, xlv (1994).
- Brown, R.A., 'Royal castle-building in England, 1154–1216', repr. in his *Castles, Conquests and Charters: Collected Papers* (Woodbridge, 1989), 19–64.
- J.A. Brundage, *Medieval Canon Law* (London, 1995).
- C. Burnett, 'The Act of 1471 and its effects on the Royal Arms of Scotland', *PSAS*, 105 (1972–4), 312–315.
- Caldwell, D.H., 'An enamelled plaque from Borge, Benbecula', *Proceedings of the Society of Antiquaries of Scotland*, 109 (1977–8), 378–80.
- Carus Wilson, E.M., 'The medieval trade of the ports of the Wash', *Medieval Archaeology*, 6–7 (1962–63), 182–201.
- Cheney, C.R., 'King John's reaction to the interdict on England', repr. in his *The Papacy and England: 12th–14th Centuries* (London, 1982), Essay x, 129–50.
- , 'The study of the medieval papal chancery', in C.R. Cheney, *The Papacy and England, 12th–14th Centuries* (London, 1982).
- Cheney, M., 'The litigation between John Marshal and Archbishop Thomas Becket in 1164: a pointer to the origins of novel disseisin?', in J.A. Guy and H.G. Beale (eds), *Law and Social Change in British History* (London, 1984).
- Church, S.D., 'The earliest English muster roll, 18/19 December 1215', *Historical Research*, lxxvii (1994), 1–17.
- Cowan, E.J., 'Norwegian Sunset—Scottish Dawn: Hakon IV and Alexander III', in Reid, *Alexander III*.
- Crawford, B.E., 'The Earldom of Caithness and the Kingdom of Scotland, 1150–1266', in K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), 25–43.
- Dalton, P., 'The governmental integration of the far North, 1066–1199', in *Government, Religion and Society*, ed. J.C. Appleby and P. Dalton, 14–26.
- , 'Burghs with gilds merchant', in P.G.B. McNeill and H.L. MacQueen (eds), *Atlas of Scottish History to 1707* (Edinburgh, 1996).
- , 'Guilds merchant established by 1550', in McNeill and MacQueen (eds), *Atlas of Scottish History to 1707*.
- Dennison, E.P., 'Power to the people? The myth of the medieval burgh community',

- in S. Foster, A.I. MacInnes and R. MacInnes (eds) *Scottish Power Centres from the Early Middle Ages to the Twentieth Century*, (Glasgow, 1998).
- Derville, A., 'Les draperies flamandes et artésiennes vers 1250–1350: quelque considérations critiques et problematiques', *Revue du Nord*, 54 (1972).
- Dickinson, W.C., 'Burgh life from burgh records', *Aberdeen University Review*, xxi (1945–46).
- Dixon, P., and Marshall, P., 'The great tower in the twelfth century: the case of Norham castle', *Archaeological Journal*, cl (1994), 410–32.
- Dolley, M., and Seaby, W.A., 'A find of thirteenth-century pewter tokens from the National Museum excavations at Winetavern Street, Dublin', *The Numismatic Circular*, 79 (1971), 446–8.
- Donaldson, G., 'The bishops and priors of Whithorn', *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, 3rd ser., xxvii (1950).
- Down, K., 'Colonial society and economy in the high middle ages' in A Cosgrove, ed., *A New History of Ireland. II: Medieval Ireland, 1169–1534* (Oxford, 1987).
- Duffy, S., 'The First Ulster Plantation: John de Courcy and the men of Cumbria', in T.B. Barry, R. Frame and K. Simms, (eds), *Colony and Frontier in Medieval Ireland: essays presented to J.F. Lydon* (London, 1995), 1–27.
- , 'The Bruce brothers and the Irish Sea world, 1306–29', *Cambridge Medieval Celtic Studies* 21 (Summer 1991) 55–86.
- Dunbar, J.G. and Duncan, A.A.M., 'Tarbert Castle: a contribution to the history of Argyll', *SHR* i, (50), 1971, 1–17.
- Duncan, A.A.M., 'The Earldom of Atholl in the Thirteenth Century', *The Scottish Genealogist*, vii (1960), 2–10.
- , 'The Bruces of Annandale, 1100–1304', *TDGNHAS*, 3rd ser., lxix (1994).
- , 'Burghs in existence by 1300', in MacNeill and MacQueen (eds), *Atlas of Scottish History to 1707*.
- , 'John king of England and the kings of Scots', in *King John: New Interpretations*, ed. S.D. Church (Woodbridge, 1999), 247–71.
- , 'Roger of Howden and Scotland, 1187–1201', in B.E. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland* (Edinburgh, 1999), 145–51.
- , 'Sources and uses of the Chronicle of Melrose, 1165–1297' in S. Taylor (ed.), *Kings, Clerics and Chronicles in Scotland, 500–1297* (Dublin, 2000), 146–85.
- Duncan, A.A.M. and Brown, A.L., 'Argyll and the Isles in the earlier Middle Ages', *PSAS*, xc (1956–7).
- Eales, R., 'Castles and politics in England, 1215–1224', *Thirteenth Century England*, ii (1988).
- Emblems of Scotland* (Heraldry Society of Scotland, 1997).
- Gillingham, J., 'Magna Carta and royal government', reprinted in his *Richard Coeur de Lion: Kingship, Chivalry and War in the Twelfth Century* (London, 1994), 201–9.
- , 'The travels of Roger of Howden and his views of the Irish, Scots and Welsh', *Anglo-Norman Studies*, xx (1997), 151–69.
- Grant, A., 'The province of Ross and the kingdom of Alba', in E.J. Cowan and R.A. McDonald (eds), *Alba. Celtic Scotland in the Medieval Era* (East Linton, 2000), 88–126.
- Grant, A., 'Acts of Lordship: The Records of Archibald, Fourth Earl of Douglas', in T. Brotherstone and D. Ditchburn (eds), *Freedom and Authority: Historical and Historiographical Essays Presented to Grant G. Simpson* (East Linton, 2000), 235–274.
- Green, C.D., 'The Lion of Scotland', in *Emblems of Scotland* (Heraldry Society of Scotland, 1997).
- Hammond, M.H., '*Hostiarii Regis Scotie*: the Durward family in the thirteenth century', in Boardman and Ross (eds), *Exercise of Power*, 118–138.
- Harding, A., 'The medieval briefes of protection and the development of the common law', *Juridical Review*, xi (1966).

- Helmholz, R.H., 'Magna Carta and the *ius commune*', *University of Chicago Law Review*, lvi (1999).
- Holt, J.C., 'King John's disaster in the Wash', repr. in his *Magna Carta and Medieval Government* (London, 1985), 111–22.
- Hunter Blair, C.H., 'Mitford castle', *Archaeologia Aeliana*, 4th ser., xiv (1937), 74–94.
- , 'The early castles of Northumberland', *Archaeologia Aeliana*, 4th ser., xxii (1944), 116–68.
- Hyams, P.R., 'The charter as a source for the early common law', *Journal of Legal History*, xii (1991).
- Jamieson, J.D.D., 'An account of some remains of antiquity in Forfarshire', *Transactions of the Society of Antiquaries of Scotland* (Edinburgh, 1818).
- Ker, N.R., and Pantin, W.A., eds, 'Letters of a Scottish student at Oxford and Paris, c.1250', in *Formularies Which Bear on the History of Oxford*, ii, edd. H.E. Salter and others (Oxford Historical Society, 1942).
- Lydon, J., 'The Scottish soldier in medieval Ireland: The Bruce invasion and the galloglass' in G.G. Simpson (ed.), *The Scottish Soldier Abroad, 1247–1967* (Edinburgh, 1992).
- Lyons, M.C., 'Weather, famine, pestilence and plague in Ireland, 900–1500' in E. Crawford (ed.), *Famine, The Irish Experience, 900–1900: Subsistence crises and famine in Ireland* (Edinburgh, 1989).
- M'Michael, T., 'The feudal family of de Soulis', *TDGNHAS*, 3rd ser., xxvi (1949).
- MacQueen, H.L., 'Scots law under Alexander III', in N.H. Reid (ed.), *Scotland in the Reign of Alexander III 1249–1286* (Edinburgh, 1990).
- , 'The laws of Galloway: a preliminary survey', in R.D. Oram and G.P. Stell (eds), *Galloway: Land and Lordship* (Edinburgh, 1991).
- , 'Regiam Majestatem, Scots law and national identity', *SHR*, lxxiv (1995).
- , 'Girth: the law of sanctuary and society in Scotland', in J.W. Cairns and O.F. Robinson (eds), *Critical Studies in Ancient Law, Comparative Law and Legal History: Essays in honour of Alan Watson* (Oxford, 2001).
- MacQueen, H.L. and Windram, W.J., 'Laws and courts in the burghs', in M. Lynch, M. Spearman and G. Stell (eds), *The Scottish Medieval Town* (Edinburgh, 1988).
- McKean, C., 'The weather-protected city', in E.P. Dennison (ed.), *Conservation and Change in Historic Towns* (York, 1999).
- McRoberts, D., 'St Edmund in Scotland', *Innes Review*, 13 (1962).
- Makey, W., 'Edinburgh in mid-seventeenth century', in M. Lynch (ed.), *The Early Modern Town in Scotland*, (London, 1987).
- Mayhew, N., 'Money in Scotland in the thirteenth century' in D. Metcalf (ed.), *Coinage in Medieval Scotland, 1100–1600* (Oxford, 1977).
- Merzbacher, F., 'Die Parömie "legista sine canonibus parum valet, canonista sine legibus nihil"', *Studia Gratiana*, xiii (1967), 273–82.
- Moriarty, G.A., 'The Baliols in Picardy, England and Scotland', *New England Historical and Genealogical Register*, 106 (1952), 273–290.
- Munro, J.H., 'Wool-price schedules and the qualities of English wool in the later middle ages, c.1270–1499', *Textile History*, 89 (1978), 119–125.
- Oliver, A.M., 'The family of Muschamp, barons of Wooller', *Archaeologia Aeliana*, 4th ser., xiv (1937), 256–7.
- Oram, R.D., 'In obedience and reverence: Whithorn and York, c.1128–c.1250', *Innes Review*, xlii (1991).
- , 'Prayer, property and profit: Scottish monasteries, c.1100–c.1300' in S Foster, A Macinnes and R. Macinnes (eds), *Scottish Power Centres from the Early Middle Ages to the Twentieth Century* (Glasgow, 1998), 87–92.
- , 'Continuity, adaptation and integration: the earls and earldom of Mar c.1150–c.1300', in Boardman and Ross (eds), *Exercise of Power*, 46–66.
- Noonan, J.T., 'Gratian slept here: the changing identity of the father of the systematic study of canon law', *Traditio*, xxxv (1979), 145–72.

- Peddie, J.M.D., 'Note of a crucifix of bronze, enamelled, found in the churchyard of Ceres in Fife', *Proceedings of the Society of Antiquaries of Scotland*, 17 (1882-3), 146-51.
- Reid, R., 'Alexander III: The Historiography of a Myth', in Reid, *Alexander III*, 181-213.
- Richardson, H.G., 'Letters of the Legate Guala', *English Historical Review*, xlviii (1933).
- Saunders, R., 'An Unusual Tressure', *Coat of Arms*, iii (1954-55).
- Schofield, J., 'Excavations south of Edinburgh High Street, 1973-74', *PSAS*, 107 (1975-76).
- Scott, W.W., 'Fordun's description of the inauguration of Alexander II', *SHR*, 1 (1971), 198-200.
- , 'The use of money in Scotland, 1124-1230', *SHR*, lviii (1979).
- , 'The March Laws reconsidered', in A. Grant and K.J. Stringer (eds), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993).
- , 'Abbots Adam (1207-1213) and William (1215-1216) of Melrose and the Melrose Chronicle' in B.E. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Renaissance Scotland* (Edinburgh, 1999), 161-171.
- Sellar, W.D.H., 'Marriage, divorce and concubinage in Gaelic Scotland', *Transactions of the Gaelic Society of Inverness*, li (1980).
- , 'Courtesy, battle and the brieve of right 1368—a story continued', in *Stair Society Miscellany II* (Edinburgh, 1984).
- , 'The common law of Scotland and the common law of England', in R.R. Davies (ed.), *The British Isles 1100-1500* (Edinburgh, 1988).
- , 'Celtic law and Scots law: survival and integration', *Scottish Studies*, xxix (1989).
- , 'Forethocht felony, malice aforethought and the classification of homicide', in W.M. Gordon and T.D. Fergus (eds), *Legal History in the Making* (London and Ronceverte, 1991).
- , 'The resilience of the Scottish common law', in R. Zimmermann and D.L. Carey Miller (eds), *The Civilian Tradition and Scots Law* (Berlin, 1997).
- Simpson, W.D., 'Sanquhar castle', *TDGNHAS*, 3rd ser., xxi (1939), 259-60.
- Smith, J.B., 'The treaty of Lambeth, 1217', *English Historical Review*, xciv (1979).
- , 'Magna Carta and the charters of the Welsh princes', *English Historical Review*, xcix (1984), 344-62.
- Spearman, M., 'The medieval townscape of Perth', in Lynch, Spearman and Stell (eds), *Scottish Medieval Town*.
- Stell, G., 'The Balliol family and the Great Cause of 1291-2', in K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), 150-65.
- Stenton, D.M., 'Roger of Howden and Benedict', *English Historical Review*, lxxviii (1953), 74-82.
- Stevenson, A., 'Trade with the south, 1070-1513' in Lynch, Spearman and Stell (eds), *The Scottish Medieval Town* (Edinburgh, 1988).
- Stevenson, W.B., 'The monastic presence in Scottish burghs in the twelfth and thirteenth centuries', *SHR*, lx (1981), 97-118.
- , 'The monastic presence: Berwick in the twelfth and thirteenth centuries' in Lynch, Spearman and Stell (eds), *The Scottish Medieval Town* (Edinburgh, 1988).
- Stewart, I., 'The volume of early Scottish coinage' in D. Metcalf (ed.), *Coinage in Medieval Scotland, 1100-1600* (Oxford, 1977).
- Strickland, M., 'Arms and the men: war, loyalty and lordship in Jordan Fantosme's *Chronicle*', in *Medieval Knighthood IV: Papers from the Fifth Strawberry Hill Conference, 1990*, edd. C. Harper-Bill and R. Harvey (Woodbridge, 1992), 209-15.
- , 'Securing the North: invasion and the strategy of defence in twelfth-century Anglo-Scottish warfare', repr. in *Anglo-Norman Warfare: Studies in Late Anglo-Saxon and Anglo-Norman Military Organization and Warfare*, ed. M. Strickland (Woodbridge, 1992), 208-29.

- Stringer, K.J., 'A new wife for Alan of Galloway', *TDGNHAS*, xlix (1972), 49–55.
- , 'Periphery and core in thirteenth-century Scotland: Alan son of Roland, lord of Galloway and constable of Scotland' in A. Grant and K.J. Stringer (eds), *Medieval Scotland: Crown, lordship and community* (Edinburgh, 1993).
- , 'Identities in thirteenth-century England: frontier society in the far North', in *Social and Political Identities in Western History*, edd. C. Bjørn, A. Grant and K.J. Stringer (Copenhagen, 1994), 28–66.
- , 'Scottish foundations: thirteenth-century perspectives', in *Uniting the Kingdom? The Making of British History*, edd. A. Grant and K.J. Stringer (London, 1995), 85–96.
- , 'Anglo-Scottish relations: Alexander II, 1214 to 1217', in *Atlas of Scottish History to 1707*, edd. P.G.B. McNeill and H.L. MacQueen (Edinburgh, 1996).
- , 'Place-dates of royal charters to 1296: Alexander II (1214–49)', in *Atlas of Scottish History to 1707*.
- , 'State-building in twelfth-century Britain: David I, king of Scots, and northern England', in *Government, Religion and Society in Northern England, 1000–1700*, edd. J.C. Appleby and P. Dalton (Stroud, 1997), 40–62.
- , 'Nobility and identity in medieval Britain and Ireland: the de Vescy family, c.1120–1314', in *Britain and Ireland, 900–1300: Insular Responses to Medieval European Change*, ed. B. Smith (Cambridge, 1999), 199–239.
- Torrie, E.P.D., 'The guild in fifteenth-century Dunfermline', in Lynch, Spearman and Stell (eds), *Scottish Medieval Town*.
- Turner, R.V., 'William de Forz, count of Aumale: an early thirteenth-century English baron', *Proceedings of the American Philosophical Society*, cxv (1971), 221–49.
- van Uytven, R., 'Cloth in the medieval literature of western Europe', in N.B. Harte and K.G. Ponting (eds), *Cloth and Clothing in Medieval Europe* (London, 1983), 179–80.
- Watt, D.E.R., 'Abbot Walter Bower of Inchcolm and his *Scotichronicon*', *Records of the Scottish Church History Soc.*, 24 (1992), 286–304.
- , 'The provincial council of the Scottish Church, 1215–1472', in Grant and Stringer (eds), *Medieval Scotland: Crown, Lordship and Community*, 140–55.
- Williams, B., 'The Dominican annals of Dublin' in S. Duffy, ed., *Medieval Dublin II* (Dublin, 2001), 248–9.
- Williams, D.H., 'Layfolk within Cistercian precincts' in J. Loades (ed.), *Monastic Studies II* (Bangor, 1991), 87–116.
- Williamson, D.M., 'The legate Otto in Scotland and Ireland, 1237–1240', *Scottish Historical Review*, xxviii (1949), 12–30.
- Wood, M., 'Survey of the development of Edinburgh', *Book of the Old Edinburgh Club*, xxxiv (1974).
- Wormald, J.M., 'Bloodfeud, kindred and government in early modern Scotland', *Past and Present*, no 87 (1980).
- Young, A., 'Noble families and political factions in the reign of Alexander III', in *Scotland in the Reign of Alexander III, 1249–1286*, ed. N.H. Reid (Edinburgh, 1990), 1–30.
- , 'The Earls and Earldom of Buchan in the thirteenth century', in A. Grant and K.J. Stringer (eds), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993), 174–202.
- Yvon, J., 'Esterlins à la croix courte dans les trésors français de la fin du XII^e et de la première moitié du XIII^e siècle', *The British Numismatic Journal*, 39 (1970).

INDEX

- Abel, canon of Glasgow, 171
 Aberdeen, 180, 189, 217, 261, 264,
 266, 270, 272, 283
 diocese of, 30, 229
 sheriff of, *see* Philip de Melville
 woollen cloth trade at, 272
 Aberlemno, church of, 172
 Abertarff, lordship of, 29, 36
 Aboyne, 17, 28, 30–31
 castle of, 29
 Acaius, king of Scotland, 211
 Ada of Galloway, 28
 Adam, bishop of Caithness, 37, 53, 56,
 57, 59–60, 62–64, 67–68, 76, 150,
 183
 Áed Méith ua Néill, king of west
 Ulster, 8
 Ailred of Rievaulx, 100
 Aird, lordship of the, 28, 294
 Alan, lord of Galloway, constable of
 Scotland, 8, 11, 22, 25–26, 28, 40,
 41–42, 45, 57, 104, 106, 110, 112,
 118, 124, 132, 135–136, 154, 173,
 175–176, 188, 207, 233–235, 238,
 273, 286–287, 290, 293, 298
 bastard son of, *see* Thomas
 daughters of, 133
 see Christina, Dervorgilla, Helen
 Alan Durward, 20, 31
 justiciar of Scotia, 32–35, 216
 lands of, 29
 marries Margery, bastard daughter
 of Alexander II, 35
 rivalry of, with Comyns, 34
 role in minority of Alexander III,
 34–35
 ties with Bisset family, 29, 31, 33–34
 Alan fitz Count, 19–20
 Alan fitz Walter (Stewart), 288–289
 Albany, duke of, 217
 Alexander I, king of Scots, 5, 37,
 93–94, 98, 259, 269
 Alexander II, king of Scots, 1–2, 6,
 53, 96, 98–99
 acts of, 107–108
 birth, 4, 84, 89, 91–92, 94
 burgh plantations by, 274–282
 campaigns in Highlands and Islands,
 36–37, 42, 53–54, 60, 62, 68,
 81–82, 121, 151, 273–274,
 290–293, 304–305
 campaign operations in Lincolnshire,
 129
 challenges to, 10, 31–32, 45
 character of, 43, 45
 court and councillors of, 11, 20–23,
 107–110
 daughters, *see* Margery
 death of, 43, 49, 54, 58–60, 63,
 69, 70, 80, 86, 91, 151, 285,
 304–305
 domestic politics of, 20, 25,
 26–27, 32–37, 44–46, 53,
 107–108
 excommunication of, 139–140, 146
 extramarital relations of, 16
 historiography of reign, 49–78
 homage of, to Henry III, 13, 121,
 147
 homage of, to Louis of France, 121,
 135
 household of, 22, 107–109
 inauguration of, 9, 79–81, 83, 107,
 111
 invades England, 12–13, 35, 53, 57,
 67, 101, 120–121, 124, 127–128,
 159
 involved in father's government, 9
 knighted, 8, 81, 121
 marriages of, 14, 16, 18, 36, 53–54,
 57, 61–62, 91–92, 150, 194,
 215–216
 policy in Argyll and Isles, 41–42, 44,
 53, 58–60, 68, 70, 151, 273–274,
 281, 285, 290–292, 294, 297–299,
 301–304
 relationship with Henry III, 13–18,
 53–54, 61, 69–70, 77, 150–151,
 159
 relationship with King John, 11–12,
 69, 73, 101, 112–113, 116, 123,
 137, 159
 relationship with Norway, 41–42, 59,
 69–70, 73, 285–304

- relations with Papacy, *see* Papacy
 religious patronage of, 30, 43–44,
 50, 68, 173, 197, 269
 religious policies of, 30, 44, 150,
 158–159, 173
 seal and heraldry of, 214–216
 sisters, 7–8, 11–12, 14, 113
 succession settled on, 6, 82, 89–90
 succession to, 16, 69
 support for in northern England,
 12–13, 103, 106, 111–112,
 117–120, 129–135
 supports Bisset family, 17, 27,
 30–32, 34–45
 wives of, *see* Joanna, sister of
 Henry III, and Marie de Coucy
 Alexander III, king of Scots, 2, 23, 43,
 50–51, 53, 56, 62, 65, 67–71,
 74–77, 85, 91, 188, 216
 betrothed to Margaret of England,
 17–18, 57
 birth of, 16, 54–55, 84, 91–92
 inauguration of, 80–81
 minority of, 34–35, 43, 73
 seal of, 214
 Alexander, abbot of Coupar Angus, 183
 Alexander Stewart, 205
 Allerdale, barony of, 109, 132–134,
 154
 landholders in, 154
 Alnwick, 105, 115, 125, 131, 144
 Alston, 106, 135
 silver mines at, 103, 136
 Andrew Wyntoun, 56, 61–62, 85
 Anglo-Scottish relations, 1–2, 7, 9, 13,
 15–20, 24, 35, 50–51, 53–54, 57–58,
 67–69, 70–71, 73, 83, 96–97,
 100–101, 108, 110, 117–118, 137,
 150–152, 179
 Angoulême, 106
 Angus, 23, 33
 earl of, 40, 79, 107
 see also Comyn, John
 earldom of, 29, 258
 Annandale, 16, 103, 134, 216
 Aonghus mac Domnaill, 303
 Aonghus mac Somhairle, 288
 Appleby, castle and lordship of, 106,
 115, 132, 134–136, 154
 landholders in, 155–156
 appropriations of parishes, 164–165,
 195
 Arbroath, 261
 abbey, 9, 79, 107, 194, 257, 264
 Ardchattan Priory, 294
 Argyll, 20, 36, 44, 53–54, 62, 68–69,
 188, 272–274, 281, 285, 290, 293,
 295, 299, 301, 304
 diocese of, 174, 302
 see also Alexander II, policy
 towards etc.
 Armorial de Gelre, 216
 Arras, 201–202
 Arthur of Brittany, 6–7, 90
 Articles of the Barons, 11
 Atholl, 29–30, 35, 44
 earl of, 79, 107
 see also Patrick, Thomas
 earldom of, 17, 27, 32, 34, 301
 Auberive Abbey, 184
 Auchterader, 274
 Auldearn, 277
 Aumale, earldom of, 26
 see also William de Forz
 Axholme, 129
 Ayr, 200, 266, 271, 273–274, 286–289,
 299
 wool trade at, 190
 Badenoch, 29, 296
 lord of, *see* Comyn, John I
 lordship of, 36, 300–301
 Balantrodoch, 194
 Balliol family, 12, 22–23, 208
 see also Enguerrand de Balliol, Henry
 de Balliol, Hugh de Balliol, John
 de Balliol
 Balmerino Abbey, 43, 50, 180,
 184–185, 188, 241
 wool production at, 187
 Bamburgh Castle, 115, 143, 145
 Barnard Castle, 121
 lord of, *see* Hugh de Balliol, John de
 Balliol
 lordship of, 26
 siege of, 12–13, 121, 124, 128
 Bavaria, 212
 duke of, *see* Ludwig
 Beanley, 103
 Beaully Priory, 30, 46
 Bendochoy, church of, 165
 Bergen, 38
 Bertram family, 104, 115
 Berwick, 7, 12, 120, 123, 127, 144,
 146, 148–149, 188–189, 192, 201,
 225, 253, 257, 264, 271, 283
 guild merchant, 254–255
 sheriff, 247

- shire, 134, 230
 wool trade through, 189–190
- Bisset family, 17–19, 27–28, 30–32, 45, 69–70
 exiled from Scotland, 17, 31–32
 John (elder), 28, 30, 294
 John (junior), 19, 28
 rivalry of, with Comyns, 27–28
 ties with Alan Durward, 29, 33–34
 Walter, lord of Aboyne, 17, 19–20, 28–32, 34, 57–58, 62, 241
 William, 28–29, 62, 279
- Black Douglasses, 1
- Blairgowrie, 163
- Blanche, daughter of Henry IV of England, 212
- Boleskine, lordship of, 36
- Bologna, university, 195, 221
- Bordeaux, 202
- Boston fair, 191–192
- Bothal, 104
- Bouvines, battle of, 180
- Brabantines, 8
- Bracton*, 224, 243
- Brechin, 261
 bishop of, 163
- Brittany, 6, 212
 heraldry in, 212
- Brough Castle, 115, 135
- Brougham Castle, 115
- Bruce family, 195
 lords of Annandale, *see* Robert de Brus
 kings, *see* Robert I
 kingship of, 1
- Buchan,
 earl of, 79, 107
see also William Comyn, earl of Buchan, and Comyn, Alexander
- Burgh-by-Sands, barony, 132, 134–135
 landholders in, 154
- Burtonstown, 188
- Bute, island of, 288–289, 299
- Cairnburghmore Castle, 304
- Caithness, 37–40, 53–54, 286, 290
 bishop of, 69, 149, 264, 292, *see also* Adam
 earl of, *see* Harald, Maddadson, John, Thorfinn
 men of, 37, 292
- Cambuskenneth Abbey, 199
- Canongate, burgh of, 262, 268–269
- Canterbury, 16, 36, 62, 128, 145, 150, 204, 208, 216, 229
- Cardross, 279, 281
- Carlisle, 12, 117, 121, 124–128, 132, 134, 136–137, 140, 146, 159, 174, 191, 195
 bishop of, 136–137, 176, 196
 castle, 61, 115, 120, 124–125, 132–133
 fair at, 191, 193
 priory, 195
- Carrick,
 earl of, *see* Duncan
 earldom of, 234, 287
- Cavers, lordship of, 22
- Celestine III, pope, 266
- chamberlain, 22
see Henry Balliol, Walter de Berkeley, de Valognes family
- Champagne, fairs in, 183, 191–192
- chancellor, 22
- Charlemagne, emperor, 211
- Charles V, king of France, 212
- Christina, daughter of Alan of Galloway, 26
- Chronicle of Lanercost*, 28, 58
- Chronicle of Mann*, 60–61
- Chronicle of Melrose*, 28, 36, 55–56, 58, 60, 66, 75–76, 84–85, 91, 95, 102, 116, 124, 126, 138–140, 145, 150, 179–180, 182–184
- Chronicle of Pluscarden*, 56–57
- chroniclers, *see* *Chronicle of Lanercost*, *Chronicle of Melrose*, John of Fordun, Matthew Paris, Walter Bower
- Cinaed mac Ailpín, king of Scots, 84, 95, 259
- Cistercian order, 44, 50, 149, 159, 171, 179–191
- Cîteaux Abbey, 180–185, 208
- Clairvaux Abbey, 184–185
- Clan MacDuff, law of, 227
- Cleghorn, chapel, 165–166
- Clement, bishop of Dunblane, 44, 50, 169–170, 199, 302–303
- cloth production, 186–187, 201–202, 272
- Clovis, king of the Franks, 211
- Clunie in Stormont, 111
- Clyde,
 Firth of, 41, 287–288, 290–291, 293–294, 299–300, 304
 river, 276, 278
- Cockermouth Castle, 115, 135

- Coldingham, 123
 prior of, 239, 246
 priory, 67, 76, 144, 245–247
 wool production at, 194
- Compostella, 205
- Comyn family, 2, 17, 23, 27, 29–30,
 32, 34, 36, 45, 298, 300
 Alexander, earl of Buchan, 29
 David, 22
 Eva, 204
 John, earl of Angus, 29
 John I, lord of Badenoch, 29
 Jordan, 108, 153
 rivalry of, with Bissets and
 Durwards, 27–28, 30–31, 34
 supporters of, 32
 Walter, earl of Menteith, *see* Walter
 Comyn
 William, 204
 see also William Comyn, earl of
 Buchan
- Conisbrough Castle, 128
- Copeland, barony of, 109, 132
 landholders in, 154
- coronation, 14–15, 150, 160–161, 177,
 213–215
- Corrieyairick, pass, 29
- Coupar Angus,
 abbey, 180, 182, 184, 188, 193,
 264, 270
 abbot of, 149, 182
 see also Alexander
 wool production at, 186–187, 189
- Couparmaculty, church of, 165
- Cowal, 300–301
- Crossraguel Abbey, 199
- Croxden Abbey, 184
- Crusades, 204–206
- Cubbie Roo's Castle, Wyre, 39
- Culross,
 abbey, 180, 184–185
 abbot of, 149
 wool production at, 186
- Cumberland, 16, 103–104, 109,
 115–117, 154
 baronage of, 104, 117, 132–133,
 135
 castles in, 115
 Scottish claims on, 14–15, 109, 151
 Scottish landholding in, 103, 134,
 151, 206
- Cumbria, 101–102, 106, 109, 115,
 117–118, 120, 130, 132, 134
- Cunninghame, 27, 235, 287
- Custantín mac Cinaeda, king of
 Scots, 85
- Damietta, 205
- David I, king of Scots, 3, 5, 10, 43,
 74, 79–81, 89, 93–95, 98, 100–102,
 104–107, 115, 117–118, 122, 124,
 130–131, 138, 158, 218, 253,
 257–258, 260, 262, 265, 269, 298
- David, earl of Huntingdon, 1–2, 4, 6,
 10–11, 15, 52, 79, 82, 89–90, 95,
 97–98, 107, 111, 113, 206, 230
- David, earl of Orkney, 39
- David Dalrymple, lord Hailes, 66–67,
 78
- Deer Abbey, 180, 184, 193
 wool production at, 189
- Dervorgilla, daughter of Alan of
 Galloway, 22, 26
- Digest of Justinian, 221
- Din Eidyn, 259 *see also* Edinburgh
- Dingwall,
 burgh, 274–276
 castle, 275
- Dominican order, 43–44, 50, 68, 197,
 199
- Domnall Bán, king of Scots, 4–5,
 88–89, 93–95, 98
- Domnall (Bán) mac Domnaill, 10–11,
 98
- Domnall mac Niall, 36, 37
- Domnall mac Raonaill, lord of Islay,
 291, 295, 296–297, 301–303
- Domnall mac Uilleim (Donald
 MacWilliam), 8, 98, 102, 112, 286
- Donnchad mac Dubhgaill, 292,
 294–295, 301–303
- Donnchad mac Máil Choluim
 (Duncan) II, king of Scots, 4–5,
 87–88, 94–95, 98
- Donnchad, earl of Fife, 81
- Doonavernon, motte, 20
- Dornoch Cathedral, 46
- Douai, 186–187, 194
- Dover, 13, 61, 121, 126–129, 131, 151
- Dryburgh Abbey, 164, 166
- Dub mac Máil Choluim, king of Scots,
 86–87
- Dubhgall mac Ruairidh, 302, 304
- Dubhgall Screech mac Dubhgaill, 292,
 294
- Dublin, 188, 190–191, 199–200
- Dumbarton, 300
 burgh, 233, 274–282, 291

- castle, 278, 291
 guild merchant, 278
 sheriff of, 279
 topography, 278
 duels and ordeals, 227–228, 231,
 240–241, 256
 Dumfries, 134, 200
 ‘Dunaverdun’, 20
 Dunaverty Castle, 20, 291
 Dunbar, 12, 123, 144
 earl of, 79, 107, 195, 231–232
 see Patrick
 Dunbar family, 17, 32, 45, 104, 245
 Dunblane,
 bishop of, *see* Clement
 see of, 174
 Duncan, earl of Carrick, 287–289,
 292, 299
 Duncan, son of Morgrund, earl of
 Mar, 24
 Dundee, 163, 261, 265
 Dundrennan Abbey, 167–168, 180,
 182–184, 189, 193
 Irish estates of, 188
 trade with England, 191
 trade with Ireland, 187–188, 191,
 194
 wool production and trade at, 186,
 189–191
 Dunfermline, 257, 258
 abbey, 80–81, 163, 165, 171, 246,
 265–266, 270
 burgh, 253, 265, 267
 wool production at, 194
 Dunkeld,
 bishops of
 Geoffrey, 173
 canons of, 176
 chapter of, 173
 see of, 174
 Dunoon, constable of, 292, 300
 Dunottar, 261
 Dunstaffnage Castle, Argyll, 42
 Durham, 143, 214
 bishop of,
 Richard Marsh, 146–147
 castle, 115, 145
 county, Scottish landholding in,
 103
 prior of, 140, 148
 William, 148
 see of, 131, 138, 145–146, 174
 Durward family, 23–25, 27
 rivalry of, with Comyns, 27
 see also Alan Durward, Malcolm of
 Lundie, Thomas of Lundie
 Drogheda, 199
 Edenhall, 103
 Edgar, king of Scots, 4–5, 89, 93–94,
 98
 Edgar, son of Dovenald of Nithsdale,
 99–100
 Edinburgh, 12, 24, 31, 53–54, 107,
 111, 123, 148, 253, 257–258, 261,
 264, 266, 276
 burgh, 260, 262, 265, 267–269,
 276–277, 279, 283
 castle, 259–261
 Dominican convent in, 44, 197, 269
 topography of, 259, 268
 Edmund, king of Scots, 5
 Edward I, king of England, 234
 Edward, son of Máel Coluim III, 4–5
 Elgin, 24, 273–274, 283
 cathedral, 46, 174
 England, 39, 63, 297
 baronial rebellion in, 10, 12–13, 53,
 55, 57, 100, 106–107, 111,
 115–117, 129–131, 139, 144
 Cistercian abbeys in, 185, 187
 chronicles, 57, 71, 77–78, 119, 123,
 129–130, 197
 civil war in, 12, 61, 112, 118–119
 fairs in, *see* Boston, Carlisle
 fleet from, raids Mann, 8
 French wars of, 16, 180
 heraldry in, 218
 Hundred Years War, 180
 legal developments in, 223–225, 232,
 239, 242–246, 250–251
 kings of, *see* John, Henry III,
 Richard I, Stephen, William II
 northern counties of, 14, 100–107,
 115, 129–132, 142
 papal influence in, 138–139, 150,
 158–159
 policies towards Scotland, 5, 14, 17,
 71, 101, 110, 214
 see also Anglo-Scottish relations
 resources of, 142–144
 royal power and authority in,
 142–143
 succession and inheritance practice
 in, 4, 6, 224
 trade with Scotland, 191–192, 194,
 201–202
 war with Scotland, 100–152

- Enguerrand de Balliol, 22, 106, 113, 207
 Eoghan mac Dubhgaill, lord of Argyll, 58, 152, 302–304
 Erlend II, earl of Orkney, 39
 Ermengarde de Beaumont, wife of King William, 4, 9, 15–16, 62, 79, 107, 147
 Eudo of Carlisle, 134–135
 Eustace de Vescy, brother-in-law of Alexander II, 11–12, 105–107, 111, 113–114, 117–119, 127–130, 134, 143, 153
 Ewen MacDougall, *see* Eoghan meic Dubhgaill, lord of Argyll
 Exeter, bishop of, 176
Extracta e Variis Cronicis Scotiae, 56
 fairs, *see* Boston, Carlisle, Champagne, Glasgow, Provins, Troyes
 Falaise, treaty of, 109
 Ferchar mac an t-saccairt, 10, 37, 46, 290, 297–298
 Fetteresso, 86
 Fife, earl of, 79, 107
 see also Donnchad, Malcolm
 Flanders, 190, 201–202, 216
 heraldry in, 212–213, 215, 217
 wool trade with, 186–187, 191
 Forfar, 41, 107, 257–258, 260–261, 264
 burgh, 260, 263, 266–268, 270, 276, 279
 castle, 258–260, 263–264
 court at, 31, 34
 Loch, 258–260, 263, 270
 topography of, 258–259, 268
 Forres, 86–87, 274
 Forth, river, 126, 163, 180, 259, 261, 263
 Fortrose Cathedral, 46
 Fotheringhay, 113
 Fountains, abbot of, 184
 France, 118–119, 131, 138, 183, 194, 211
 Cistercian abbeys in, 185
 Dauphin of, *see* Louis
 English wars in, 16, 180
 fleet of, 184–185
 fleur-de-lis symbol in, 211–212
 heraldry in, 212–213, 215, 218–219
 Hundred Years War, 180
 kings of, *see* Louis VII, Philip II
 Scottish links with, 16, 18, 190, 283
 trade links, 190
 Francesco Balducci Pegolotti, 187, 194
 Frederick II, emperor, 169, 208
 Fulk de Soules, lord of Liddesdale, 109–110
 Galloway, 27, 44, 51, 54–57, 62–63, 68–70, 73, 76, 173, 205, 227, 229, 233–234, 273, 286–287, 290
 bishop of, 94
 inheritance, 22, 25–27, 41–42, 44, 57
 see also Christina, Dervorgilla, Helen
 justiciar of Galloway, 225, 233, 286
 lord of, *see* Alan, Roland, Uhtred
 lordship of, 2, 19, 42, 45, 234
 wool production in, 190–191
 see also Dundrennan, Glenluce
 Garmoran, lordship of, 296, 301, 304
 Gascony, 16
 Germany, heraldry in, 215
 Geoffrey Marsh, 17, 19
 Geoffrey I de Melville, justiciar of Lothian, 33
 George Buchanan, 64–65
 Gerald of Wales, 119
 Gilbert, earl of Strathearn, 118
 Gilbert of Dunfermline, student, 196
 Gilbert fitz Reinfrey, lord of Kendal, 132
 Gilbert of Saddell, Dublin merchant, 188
 Gilchrist, earl of Mar, 23, 24
 Giles, papal nuncio, 169
 Gilleasbuig mac Dubhgaill, *see* Uspak Håkon
 Gilleasbuig mac Gille Chriosd, lord of Glassary, 300
 Gilleasbuig mac Uilleim, 295–296
 Gilsland, barony of, 132, 134, 154
 landholders in, 154–155
Glanvill, 223
 Glasgow, 264, 268–269, 271–272, 274, 290
 bishop of, 79, 149, 171, 174, 176, 194, 230, 247, 264
 Jocelin, 4, 264, 271
 Walter, 271
 see also William Malveisin, bishop of St Andrews
 canons of, 198
 see Abel
 chapter of, 171
 diocese of, 229
 fair, 271
 Glenisla, 270

- Glenluce Abbey, 173, 182, 184, 187,
189, 194
 abbot of, 182–184
 wool production and trade at, 186,
 189–191
- Gofraid mac Domnaill (mac Uilleim),
8, 10, 24, 98
- Gormflaith, wife of Harald
 Maddadson, 37
- Gowrie, 258
- grain trade, 188, 190, 192, 201–202,
207
- Great Glen, 29, 36
- Gregory IX, pope, 161, 163, 165–166,
171, 222
- Greystoke barony, landholder in, 155
- Guala, papal legate in England, 53,
61, 121, 137–138, 140–141, 146,
147–149, 159–160
- Guisborough,
 prior of, 140
 priory, 195
- Gullane, parish church of, 164
- Haddington, 4, 12, 27, 29, 105,
107–108, 120, 123, 144
- Hadrian, Roman emperor, 211
- Håkon IV, king of Norway, 39–40,
42, 214, 292–293, 295, 297–298,
304
 saga of, 59, 294
- Hanef Ungi, 39–40
- Harald Maddadson, earl of Caithness
 and Orkney, 37–39, 69, 286, 290
- Harbottle Castle, 115
- Hartlepool, 103, 113, 191
- Hartness, 103
- Hebrides, *see* Isles
- Hector Boece, 64, 67
- Helen, daughter of Alan of Galloway,
26
- Helmsley Castle, 128
- Henry II, king of England, 7, 100,
101–102, 108–109, 117, 120, 131,
142–143, 145, 223
- Henry III, king of England, 23, 42,
57, 135–137, 143, 159, 213–214
 French campaigns of, 16
 papal influence over, 158–159
 policy towards Scotland, 15, 19,
 42, 57–58, 139–140, 146, 151,
 216
 relationship with Alexander II,
 15–18, 24, 53–54, 61, 70, 77,
 121, 147, 150–151, 215
 succession and minority of, 13, 53,
 61, 121, 138–139, 158–159
- Henry IV, king of England, 212
- Henry, 'the Young King', 117, 119
- Henry I, king of France, 211
- Henry, earl of Northumberland, son of
 David I, 5, 93, 98, 124
- Henry de Balliol, 22–3, 204
 relationship with Henry III, 23
- Henry de Bohun, earl of Hereford,
118
- heraldry, 211–219
- Hermitage Castle, 54
- Holland (Lincolnshire), 129
- Holland, counts of, 7, 208, 213, 215
- Holmculttram abbey, 67, 76, 124, 180,
184, 269
 wool production and trade at,
 191–192
- Holyrood Abbey, 230, 233, 262
 burgh of (Canongate), 262
 Church council at, 162
 wool production at, 194
- Honorius III, pope, 56, 136, 139–140,
149–150, 160, 162–164, 166, 175,
213, 215, 222, 238
- hostiarius*, *see* Durward
- Hugh de Balliol, lord of Barnard
 Castle, 12, 22, 105–106, 121, 145
- Hugh de Lacy, earl of Ulster, 8
- Hugh de Morville, 104, 106
- Hundred Years War, 180
- Huntingdon, honour of, 121, 147, 230
- Hutton, 104
- Inchaffray priory, 168, 174
- Inchture, rectory of, 196
- Innocent III, pope, 111, 114, 116, 141,
158, 168, 171, 229, 231, 238, 241
- Innocent IV, pope, 162–163, 171, 173,
176–177, 214–215, 251
- Inverkeilor, lordship of, 22, 106
- Inverkeithing, 256, 271–272
- Inverness, 28, 36, 225, 273–274
- Iona Abbey, 303–304
- Ireland, 18–19, 26, 83, 151, 293, 302
 appropriated parishes in, 195
 Cistercian abbeys in, 185
 influence in Isles, 41
 Justiciar of, 187
 mercenaries from, 76
 political disorder in, 8
 trade from, 187–188, 190, 194,
 199–200, 207
- Irish Sea, 190–191, 199

- Irvine, 200, 272–273
 Isabel, sister of Alexander II, 14
 Isles, 8, 35–36, 40, 58, 70, 151, 200,
 286–287, 295, 297, 305
 bishop of, 302
 Irish influence in, 41
 kingdom of, 2
 Norwegian presence in, 8, 40–41,
 69, 293
 Scottish influence in, 41–42, 59,
 273, 285, 290, 292, 301–303
 warfare in, 7, 36, 40–41
 Ivo de Vieuxpont, 106, 134–136, 207
- James I, king of Scots, 218
 James II, king of Scots, 262, 268
 James III, king of Scots, 218–219
 James IV, king of Scots, 71, 282
 James V, king of Scots, 64
 James VI, king of Scots, 218, 282
 James, Master, papal legate, 14, 160,
 162, 164–165, 175
 Jean Froissart, 281
 Jedburgh, 36, 81, 121
 abbey, 172, 195
 abbot of, 165
 wool production at, 194
 Joan(na), sister of Henry III, wife of
 Alexander II, 14–16, 53–54, 57,
 61–62, 150, 206, 215–216
 John, king of England, 6–7, 52, 55,
 61, 77–78, 90, 95, 97, 99–100, 103,
 105–106, 109, 111, 127, 129–130,
 143, 158–159, 215
 baronial rebellion against, 10, 12–13,
 100, 106–107, 112, 114–120, 127,
 133–134, 144, 179
 campaigns in Ulster (1210), 8
 Count of Mortain, 90
 death of, consequences of, 13, 20,
 53, 121, 138
 invades Scotland (1216), 12, 46,
 53, 67, 76, 120, 127, 131, 144,
 299
 knights Alexander, 8, 81, 121
 relationship with Alexander II, 11,
 12, 67, 99, 101, 112–113, 123
 relationship with William, king of
 Scots, 7, 8–9, 11–12, 83, 99, 110
 submits to papacy, 114, 158
 John, count of Mortain, *see* John, king
 of England
 John, earl of Chester and Huntingdon,
 15
- John, earl of Caithness and Orkney, 9,
 37–40, 53–54, 57, 60, 62, 64, 67
 John de Balliol, 22–23, 26, 191, 207
 John de Civitate Antina, 171
 John de Courcy, lord of Ulster, 287
 John fitz Robert, 115
 John of Fordun, 4, 36–37, 52–55, 56,
 63–64, 66, 68, 75, 77
 John de Lacy, lord of Pontefract, 118
 John Major, 63–65, 77–78
 John of Maxwell, sheriff of Roxburgh,
 108, 111, 113, 153, 239
 John de Moravia, 153
 John of Salerno, papal legate, 168
 Jordan Fantosme, 100, 102, 116, 124,
 132
 judges-delegate, *see* Papacy
 justiciar, 244
 courts of, 34, 233, 241
 of Galloway, 225, 233–234, 286
 of Lothian, 225, 233, 239, 241, 244,
 247
 see Geoffrey I de Melville, Walter
 Olifard
 of Scotia, 225, 233, 239, 244, 247,
 296, 299–300
 see Alan Durward, Philip de
 Melville, Robert de Mowat,
 Walter fitz Alan
 role of, 33–34, 225
- Kelso, 105, 113
 abbey, 168
 abbot of, 162, 238
 wool production at, 194
 Kendal, barony of, 132
 landholders in, 156
 Kent, 12, 122, 128, 201
 Kerrera, island of, 42, 49, 54, 60, 70,
 80, 151, 285, 304
 Kettle, 104
 Kilpatrick, church of, 247–248
 Kilwinning Abbey, 194
 king-lists, 84–85, 88, 91–95, 97
 Kinloss,
 abbey, 180, 193
 abbot of, 149, 182
 wool production at, 189
 Kintyre, 20, 288, 290–291, 293,
 296–297, 301, 303
 Kirkcaldy, 267
 Kirkcudbright, 200, 207
 Kirkclinton, 233
 barony, landholders in, 155

- Knarborough Castle, 115, 145
 Kyle, 273, 299
- Lambeth, treaty of, 139–140, 147
 Lanark, 272
 church of, 165
 Lancashire, 134, 143
 Lanercost Priory, 195, 295
 Lateran Council (Fourth), 140–141,
 162, 169, 238, 240–242
- law,
 burgh, 256–257
 canon, 221–224, 229–231, 235,
 237–238, 248, 251
 civil or Roman, 221–223, 230–231,
 248
 common law, 223–224, 239, 246,
 249
 of the Four Burghs, 256
 of the Marches, 250
 L'Épau Abbey, 184–185
 Leith, 261, 268
 Lennox, 272, 274, 278
 earls of, 247–248, 292, 299
 earldom of, 234, 301
 Leuchars, 111, 231
 Liddel, barony and castle, 135
 landholders in, 155
 Liddesdale, lordship of, 109
 Limoges, religious artwork from,
 196–197
 Lincoln, 127–129, 196
 battle of, 119, 121, 127
 Lindores Abbey, 163, 264
 Lindsey, 129
 Lindsey family, 109
 see also Walter de Lindsey
 Linlithgow, 261
 Lismore, 302
 see of, 174, 302–303
 Llewellyn, prince of Wales, 53
 Loch Ness, 29
 Lochaber, lordship of, 36, 296,
 300–301
 London, 8, 16, 81, 112, 116–117, 128,
 137, 162, 190, 199, 201–202
 Lorn, lordship of, 42
 see also meic Dubhghall family
 Lothian, 12, 27, 33, 46, 120, 123,
 127–128, 144, 290, 299
 justiciars of, *see* Geoffrey I de
 Melville, Walter Olifard
 Louis VI, king of France, 211
 Louis VII, king of France, 119, 211
 Louis IX, king of France, 205–206,
 208
 Louis, Dauphin of France (King Louis
 VIII), 12–13, 53, 61, 77, 118–119,
 121, 127, 130–131, 135, 137–138,
 140, 146, 159
 Low Countries, 201
 see Flanders, Netherlands
 Ludwig of Bavaria, 212
 Lulach mac Gilla Comgáin, king of
 Scots, 85, 87
 Lundie, lordship of, 23
 Lyons, Council of, 169
- Mac Bethad mac Findlaich, king of
 Scots, 87
 Maciejowski Bible, 212
 Máel Coluim III, king of Scots, 4–5,
 89, 91, 92–93, 95, 98, 259–260,
 275
 Máel Coluim mac Domnaill
 (Malcolm I), king of Scots, 86–87
 Máel Coluim mac Aeda, earl of Ross,
 37
 Máel Coluim, bastard son of
 Alexander I, 5, 37
 Magna Carta, 11, 13, 112–114, 116,
 223, 243
 Malcolm (Máel Coluim) IV, king of
 Scots, 2, 5, 80–81, 89, 93, 95–96,
 98, 101–102, 253, 288
 Malcolm, earl of Fife, 62, 104, 108,
 110–111, 118, 153, 239
 Malcolm de la Hay, 108, 153
 Malcolm of Lundie, royal doorward,
 23
 Malcolm, son of Morgrund, 24
 Mann, 26, 99, 184
 Chronicle of, *see Chronicle of Mann*
 English fleet raids, 8
 Galloway intervention in, 40–41,
 290
 kings of, *see* Óláfr Godredsson,
 Ragnvald
 Norwegian overlordship of, 40–41,
 61, 292–293, 297
 Mar, 24, 29, 32, 35
 army of, 24, 31, 34
 earldom of, 24–25
 earl of, 168
 see Duncan son of Morgrund,
 Gilchrist, Morgrund, Malcolm
 son of Morgrund, William
 succession to, 24–26, 34–35, 44

- Margaret, daughter of Henry III, 17–18, 57, 216
- Margaret, sister of Alexander II, 14, 89
- Margaret, wife of Máel Coluim III, 89, 93, 95, 98, 259, 270
- Margery, bastard daughter of Alexander II, 35
- Marie de Coucy, wife of Alexander II, 16, 30, 32, 54, 61–62, 194, 216
- marischals, 108, 153
- Marsh family, 17
- Matilda, the Empress, 117
- Matthew Paris, 17–18, 57–59, 66, 71, 78, 123, 161–162, 169, 275, 285
- Matthew Paris Roll, 213, 215
- Maurice fitz Gerald, 20
- Mearns, 33, 86
- meic Áeda family, 37, 41
- meic Alasdair family, 41
- meic Dubhgaill family, 42, 292–294, 296–297
- meic Ruairidh family, 7, 36–37, 291, 302
- meic Somhairle families, 20, 36, 273, 295, 297, 301–305
see Aonghus mac Somhairle,
 Raonall mac Somhairle
- meic Uilleim (MacWilliam) family, 6, 10, 20, 25–26, 36, 41–43, 81–82, 84, 88, 98, 116, 121, 267, 287, 290
- risings by, 8, 10, 37, 40, 70, 82–83, 97, 102, 110, 277, 295–297
see also Domnall mac Domnaill,
 Domnall mac Uilleim, Gilleasbuig,
 Gofraid mac Domnaill
- support for, 10, 36–37
- Mellifont Abbey, 185
- Melrose,
 abbey, 42–43, 50, 63, 71, 80, 85–86, 130–131, 143, 180, 184, 188–189, 204, 231–233, 304
- abbot of, 149, 182–183
see Adam, bishop of Caithness,
 William
- Chronicle, see Chronicle of Melrose*
- monks of, 173, 185–186, 193, 231–232, 241
- network and filiation of, 183–185
- trade links of, 191–193
- wool production at, 186–187, 189, 192
- Melville family, 33
see also Geoffrey I de Melville,
 Philip de Melville
- Menteith,
 earldom of, 44, 301
- earl of, 79, 107
see also Walter Comyn
- de Merlay family, 104, 115
- Michael Scot, 208–209
- Mitford, 104, 115, 121, 124, 127, 144
- Monachkenneran, 247–248
- Montpellier, 206
 university, 195
- Montrose, 264
- de Moravia family, 37
- Moray, 8–10, 30, 34, 37, 51, 53, 55–56, 67–68, 83, 88, 97, 110, 273, 286, 295–296, 300
- bishop of, 149, 236, 302
- burgh foundations in, 274
- negative portrayals of, 86–87
see of, 174
- Morgrund, earl of Mar, 24
 descendants of, 24
- Morpeth, 104, 115, 124, 144
- Mowat family, 33
see also Robert de Mowat
- de Mowbray family, 118
see also Philip de Mowbray
- de Muschamp family, 104, 143
- Musselburgh, council at (1201), 6, 90
- Nairn, 274, 277, 279–280
- Netherlands, 186, 190–192, 201
- Newark, 13, 121, 129
- Newbattle, 261
 abbey, 180, 184, 188, 233, 279
- abbot of, 149
- wool production at, 187
- Newcastle, 18–19, 115, 120, 143, 145, 191
- Nicholas de Karden, 167–168, 183
- Nicholas de Stuteville, lord of Liddel, 104, 132
- Nidaros, archdiocese of, 289
- Nithsdale, 100, 105, 189
- Norham,
 castle, 115, 120, 124, 129, 143, 145
- treaty of, 109, 183
- Normandy, duchy of, 7, 105, 119, 142
- North Sea, 190–192, 199
- Northallerton, 149
- Northampton, 13, 112, 121, 147
- Northern Counties of England, 14–15, 100–107, 113, 115, 117, 119–121, 129, 132, 142
- castles in, 115, 123–124, 126
- support for John in, 115, 126

- Northerners, 101–112, 114–116, 120, 124, 127, 130–131, 145, 151
- Northumberland, 103, 118, 144
 baronage of, 104, 106–107, 115, 117, 130
 castles in, 115, 121, 124, 126, 144
 Scottish claims on, 6, 14–15, 70, 117, 129, 131, 151
 Scottish landholding in, 103, 109–110, 113, 143, 206
 Scottish raids into, 5, 18, 120–121, 124, 127–128, 146
 sheriff of, 145
 support for John in, 12, 115, 126, 145
- Northumbria, barons of, 12–13
- Norway,
 diplomacy of with Scots, 59, 70
 fleets from, 8, 40, 293–294, 296, 299
 kings of, *see* Håkon IV, Sverre
 overlordship of, in Mann and Isles, 61, 69, 285, 293–295, 297, 302, 304
 overlordship of, in Orkney, 8, 38–40
 war with Scotland, 40–41, 73, 293–294, 297, 299
- Nottingham Castle, 145
- officials, 229, 235
- Óláfr Godredsson (the Black), king of Mann, 40–41, 60, 293, 297–298
- Orkney, 40, 287
 earl of, *see* David, Erlend II, Harald Maddadson, John, Rognvald Kolsson
see also Snaekoll Gunnison
 earldom of, 8, 38–39
 fleet, 40, 293
 political divisions within, 39–40
- Orkneyinga Saga*, 59–60
- Orléans, university of, 222
- Orygynale Cronykil of Scotland*, *see* Andrew Wyntoun
- Otto IV, emperor, 180
- Otto, papal legate, 57, 161–162, 169, 175
- ‘Owen’ of Argyll, *see* Eoghan Mhic Dubhgaill
- Oxford, 114, 116
 earl of, *see* Robert de Vere
 university, 196, 221
- Paisley Abbey, 194, 199, 219, 248, 288–289, 292
- Pandulf, papal legate to England, 150, 159–160, 169
- Papacy, 14, 114, 138–139
 appeals to, 165, 183, 194, 229, 303
 censures, 138–141
 Cistercian relationship with, 183
 confirmations, 162–163
 dispensations, 172–174, 176
 indulgences, 175, 177
 papal bulls, 56, 157–158, 163, 170, 177, 241
Cum universi, 160–161, 170, 172–173, 228
 papal judges-delegate, 165–168, 177, 229–233, 235–237, 248
 papal legates, 158–162, 164–165, 177
 papal provision, 168, 170–172, 177
 popes, *see* Celestine III, Gregory IX, Honorius III, Innocent III, Innocent IV, Paschal II
 Scoto-Papal relations, 114, 138–141, 148–150, 157, 161, 164, 166, 170, 183, 213–215, 229–231, 236, 295
 taxation, 168–170
- Paris, university, 195–196, 221–222
- Paschal II, pope, 230–231
- Patrick, earl of Dunbar, 19, 31, 62, 103–104, 110, 206
- Patrick of Atholl, 17, 19, 26, 31, 241
 death of, 27, 28, 30, 32, 57, 62
 inheritance of, 27–28
- Pembroke, earl of, 204
- Penrith, 136, 151
- Perth, 9, 36, 79, 188–189, 200, 202, 218, 253, 256–258, 264–265, 270, 283
 Church councils at, 30, 160
 guild merchant, 254
 wool trade through, 189
- Peter de Maule, 22
- Peter of Paxton, 230
- Philip I, king of France, 211
- Philip II (Augustus), king of France, 7, 118–119, 138, 180
- Philip de Melville, co-justiciar of Scotia, 32–34
- Philip de Mowbray, 108–109, 111, 113, 118, 153, 235
- Philip of Oldcoates, 145–146
- Philip of Ryedale, merchant, 201
- Pickering Castle, 115
- pilgrimage, 204–205
- Pluscarden Priory, 30, 43, 46, 50, 294
Chronicle of, *see Chronicle of Pluscarden*

- Ponteland, 18
 Pottie, rectory of, 171
 primogeniture, 4–6, 25, 44–45, 89–91, 93–95, 226
 Provins, fair, 183
 Prudhoe Castle, 115, 124
- Ragnvald, king of Mann, 99, 286–287
 Ralph de Campania, 207
 Ralph de la Ferté, lord of
 Bowness-on-Solway, 133
 Raonall mac Somhairle, lord of
 Kintyre, 288
 Ratho, lordship of, 118
 Raymond de Peñaforte, 222
 Renfrew, 288, 298
 Restenneth Priory, 270
 Richard I, king of England, 89–90, 143
 Richard Gernun, lord of
 Burgh-by-Sands, 132
 Richard of Levington, 104, 132, 134
 Richmond, 120
 Rievaulx Abbey, 180, 184
 Robert I, king of Scots, 2, 217, 281
 Robert II, king of Scots, 217
 Robert III, king of Scots, 217
 Robert de Brus, lord of Annandale, 16, 69, 103, 113, 134, 204, 216
 Robert de Burneville, 144
 Robert fitz Walter, 118
 Robert of London, bastard son of
 William the Lion, 108, 153
 Robert de Mowat, co-justiciar of
 Scotia, 32–34
 Robert de Ros, brother-in-law of
 Alexander II, 11, 105, 107, 115–118, 120, 128, 130, 134, 142–143, 153
 Robert de St Clair, 108, 153
 Robert de St Germain, 113, 137
 Robert de Vaux, lord of Gilsland, 132, 154
 Robert de Vere, earl of Oxford, 111, 118
 Robert de Vieuxpont, 105–106, 110, 115, 120, 132, 136, 140, 146
 Roger Avenel, 233
 Roger de Beauchamp, 207
 Roger de Quincy, earl of Winchester, 26, 207
 Roger of Wendover, 119, 130
 Rognvald Kolsson, earl of Orkney, 39
- Roland, lord of Galloway, 286–287, 289
 Rome, 183, 208, 222, 229, 238, 241
 Romney, 201
 de Ros family, 115
 see also Robert de Ros
 Rosemarkie, cathedral at, 174
 Ross, 8, 10, 33, 40, 46, 83, 88, 97, 110, 121, 286, 298
 bishop-elect of, 79
 earl of, 217
 see also Máel Coluim mac Áeda
 see also Ferchar mac an t-saccairt
 Rothesay Castle, 299
 Roxburgh, 12, 105, 133, 144, 245, 253, 257, 283
 guild merchant, 254
 sheriff of, *see* John of Maxwell
 shire, 28, 134
 Ruairidh mac Raonaill, lord of Kintyre
 and Garmoran, 291–292, 295–296, 297, 301–302
 Rushen Abbey, 184
 Rutherglen, 200, 271
- St Andrews, 52, 204, 257
 bishop of, 79, 171–173
 David de Bernham, 62, 173, 196, 270
 Robert, 264
 Roger, 255
 Turgot, 231
 William Malveisin, 62, 107, 113, 137, 141, 149, 230–231, 236, 238–241, 272
 William Wishart, 196
 burgh, 255, 264, 283
 guild merchant, 255
 official of, 236
 see also officials
 priory, 162, 165, 195, 231
 see of, 158, 162, 171, 229
 St Columba, 42, 59
 St Edmund of Abingdon, cult of, 197
 St Margaret, *see* Margaret, wife of
 Máel Coluim III
 St Omer, 201–202
 Saddell Abbey, 185, 187–188
 Saer de Quincy, earl of Winchester, 111–112, 114, 118–119, 127, 153, 205–206, 231
 sanctuaries, 227, 231
 Sandal Castle, 128

- Sandwich, 201
 battle of, 184
- Sanquhar, barony of, 105
- Savigny, abbot of, 184
- Scarborough Castle, 115, 143, 146
- Scone Abbey, 9, 79–80, 107, 162–163, 253, 257, 261
- Scotichronicon*, *see* Walter Bower
- Scotland, 99, 211
 administrative structures in 225–226, 233–234
 appropriated parishes in, 195, 196
 burgh development in, 253–283
 clergy of, 141, 147–150, 159, 162–164, 172–175, 198–199, 240–241
 pluralism amongst, 176–177
 Church councils in, 149–150, 162, 169, 238–239
 Cistercian abbeys in, 185, 197
see also Balmerino, Coupar Angus, Culross, Deer, Dundrennan, Glenluce, Kinloss, Melrose, Newbattle
 coinage in, 202–203
 colonisation in, 25
 courts in, 231–236, 241–242, 245, 249, 256
 crown-magnate relations in, 27, 31–32, 45–46
 crusading interest in, 204–206
 Dominican order in, 197
 economic development in, 202–203, 253–255
 English land-holding in, 104, 111, 118, 134, 195
 English policy, 5, 15, 17, 39, 101, 110, 116
 French links, 16, 195–197, 283
 Gaelic culture in, 25, 27, 35, 122
 ‘Golden Age’ tradition in, 75, 77
 government of, 33–34
 Highlands of, 27, 35, 68
 warfare in, 36
 interdict in, 139–140, 146–148
 inheritance practice in, 25–27, 35, 44–45, 89–91, 93–95, 226, 234, 237–238
 kings of,
 coronation of, 14–15
see Alexander I, Alexander II, Alexander III, Cinaed mac Ailpín, Cùstantín mac Cinaeda, David I, Domnall Bán, Donnchad II, Dub mac Máil Choluim, Edgar, Edmund, James I, James II, James III, James IV, James V, James VI, Lulach mac Gilla Comgáin, Mac Bethad mac Findlaích, Máel Coluim III, Máel Coluim mac Domnaill, Malcolm (Máel Coluim) IV, Robert I, Robert II, Robert III, William
 legal developments in, 224–251, 256–257
 merchants from, 200–202
 nobility of, 10, 19–35, 107–109, 132, 139, 150, 226
 national identity in, 3
 papal taxation in, *see* Papacy
 pilgrimage in, 204–205
 political development in, 149–150
 royal authority in, 2, 21–22, 26–7, 35, 37, 72–74, 152
 royal succession in, 4–6, 10, 89–91, 93–95
 Scoto-Papal relations, *see* Papacy
 students from, 195–196
 trade, 184–192, 199–209, 254–255, 267, 272, 278
 with England, 191–192, 194, 201
 with Ireland, 187–188, 190, 199–200
 with Flanders, 186–187, 191, 194, 201
 Trinitarian order in, 197
 war with England, 100–152
 war with Norway, 40–41, 73, 293–294, 297, 299
 war-making tradition in, 122–123, 124–126
 Wars of Independence, 179
 wool trade in, 186–192, 194, 201–202, 272
- Selkirk, 257
- sergeants, 234, 271
- Shetland, 38
- Skelbo, lordship of, 37
- Skipton Castle, 115
- Skye, 7
- Snaekoll Gunnison, 39–40
- Sodor, bishop of, 174
- Sorbie, 106
- Sprouston, barony of, 105
- Stainmore, 120

- Standard, battle of the, 122, 149
 Stephen, king of England, 100–101, 117, 142
 Stephen of Anagni, 169
 Stewart family, 287–289, 292, 298, 304–305
 Alexander Stewart, earl of Buchan (14th cent), 217
 John Stewart, earl of Carrick (14th cent), 217
 kingship of, 1
 see also Alan fitz Walter, Alexander, Robert II, Robert III, Walter fitz Alan
 Stirling, 9, 24, 79, 107, 239–240, 243–244, 246, 253, 257–258, 260–261, 264
 burgh, 260, 262–263, 265–269, 272, 276, 279, 283
 castle, 260–262, 269
 Dominican friary in, 269
 topography of, 259, 268
 Strathdighty, 23
 Strathearn, 235, 301
 earl of, 79, 107
 see also Gilbert
 Stratherrick, lordship of, 29, 36
 Strathspey, 36
 suit of court, 228
 Sutherland, 37
 Sverre, king of Norway, 38–39
 Sweetheart Abbey, wool production and trade at, 191
 Tarbert Castle, 291
 Tarrant Kaines, abbey, 16
 Tay, river, 9, 23, 79, 300
 Teesdale, 12, 123
 Thomas, earl of Atholl, 26–28, 206, 286–287, 290
 Thomas, bastard son of Alan of Galloway, 26, 42, 234
 Thomas of Lundie, 23, 108, 110, 153
 Thorfinn, earl of Caithness, 275
 Tranent, 111
 Troyes, fair at, 182–183
 Tweedmouth, English castle at, 7, 124, 140
 Tynedale, 16, 103, 105–106, 115, 121, 135, 147
 Tynemouth, prior of, 140
 Uhtred, son of Fergus, lord of Galloway, 25
 Uí Domnaill family, 20
 Uí Néill family, 8, 20, 36
 support the meic Uilleim, 10, 41
 Ulster, 8, 19–20, 27, 287–288
 earl of, *see* Hugh de Lacy
 kings of, *see* Aed Méith ua Néill
 trade, 199
 Umfraville family, 115
 Urr, lordship of, 22, 106
 Uspak Håkon, king in the Isles, 293, 295
 Valliscaulian monks, 30, 43, 50, 294
 de Valognes family, 21–22, 109, 133
 Geoffrey, 109
 heiresses of, 22
 Lora, 22
 Philip, chamberlain of King William, 21, 104, 108–110, 118, 133, 153
 William, chamberlain of Alexander II, 21–22, 108, 135, 153
 Vaucelles Abbey, 184
 Vaudey Abbey, 192
 Verse Chronicle, 84–87, 91, 95–96
 de Vescy family, 115
 see also Eustace de Vescy
 Wales, 19, 151
 Cistercian abbeys in, 185, 187
 Walter de Berkeley, chamberlain of King William, 22
 Walter Bower, chronicler, 29–31, 37–38, 49–52, 55–56, 57, 61, 63–64, 68, 71, 73, 75–78, 84, 100, 159, 169, 179–180, 197
 Walter Comyn, 108, 110, 153, 300–301
 earl of Menteith, 18–19, 216, 301
 enmity of, with Bisset family, 18
 Walter fitz Alan (Walter Stewart), steward of Scotland, 32, 204, 239, 298–301
 justiciar of Scotia, 32–33, 62
 Walter de Lindsey, 108, 111, 113, 153
 Walter Olifard, justiciar of Lothian, 33, 239, 244–245
 Walter of Wisbech, 148–149
 Wark-on-Tweed, 105, 115, 144
 Warkworth Castle, 115
 Warenne, Earl, 128
 Wars of Independence, 179
 Warwickshire, 109
 Westmorland, 115, 117, 151, 154
 baronial rebels in, 132

- castles in, 115
- (north), lordship of, 106, 110, 135
- Scottish landholding in 110, 134
- Whithorn,
 - bishops of,
 - Gilbert, 173
 - canons of, 173
 - election dispute at, 173–174
 - see of, 44, 173–174, 229
- William II, king of England, 5
- William, king of Scots, 2, 4–7, 16, 21, 24, 26, 28, 33, 37–39, 51, 55–56, 60, 64, 66, 68, 71, 74, 78–79, 81–82, 85–86, 88, 98–99, 101–102, 105, 108, 114, 116, 124–125, 127, 132, 141, 147, 226–227, 230, 232, 253, 257–259, 271, 277
- campaigns of in northern and western Scotland, 8, 37, 285–286, 288, 290
- death and burial of, 9–11, 52, 79, 86, 91, 96, 107, 180
- heraldry of, 215
- relations with England, 7, 9, 69, 99, 100–101, 105–106, 110, 113, 117, 151
- succession to, 89, 94
- William, abbot of Melrose, 185
- William, earl of Mar, 31
- William d'Aubigny, lord of Belvoir, 118
- William Comyn, earl of Buchan, 103, 108–110, 153, 239, 244, 264, 296, 299–300
- William fitz Duncan, son of King Duncan II, 5–6, 82, 88, 98
- William de Basinches, Franciscan, papal tax-collector, 170
- William Bernham, student, 196
- William del Bois, chancellor, 108, 137–138, 153
- William de Forz, 26, 132–133
- William de Herteford, chaplain, 166
- William Marsh, pirate, 17
- William Robertson, 65–66
- William de Vieuxpont, 106
- Winchester,
 - earl of, *see* Roger de Quincy
 - see of, 145
- wine trade, 187–188, 192, 201–202
- wool,
 - grading of, 187
 - production and trade, 186–187, 189–191, 194, 201–202, 272
- Wyre, island of, 39
- York, 13, 16, 24, 36, 149–150, 160, 172, 174, 216, 229
- archbishop of, 18, 54, 158, 175, 214
 - Roger, 160
 - Walter de Gray, 146, 147
- metropolitan authority of, 173
- Treaty of (1237), 15–16, 23, 151, 161, 195, 206, 295
- Yorkshire, 12, 109, 116, 122–123, 130–131, 134, 180, 195
- castles in, 115, 120, 128, 143
- Scottish landholding in, 110
- Ypres, trade with, 201
- Zeeland, heraldry in, 212

THE NORTHERN WORLD

NORTH EUROPE AND THE BALTIC C. 400-1700 AD
PEOPLES, ECONOMIES AND CULTURES

Editors

BARBARA CRAWFORD (St. Andrews)

DAVID KIRBY (London)

JON-VIDAR SIGURDSSON (Oslo)

INGVILD ØYE (Bergen)

RICHARD W. UNGER (Vancouver)

PRZEMYSŁAW URBANCZYK (Warsaw)

ISSN: 1569-1462

This series provides an opportunity for the publication of scholarly studies concerning the culture, economy and society of northern lands from the early medieval to the early modern period. The aims and scope are broad and scholarly contributions on a wide range of disciplines are included: all historical subjects, every branch of archaeology, saga studies, language topics including place-names, art history and architecture, sculpture and numismatics.

1. Schutz, H. *Tools, Weapons and Ornaments*. Germanic Material Culture in Pre-Carolingian Central Europe, 400-750. 2002. ISBN 90 04 12298 2
2. Biggs, D., S.D. Michalove and A. Compton Reeves (eds.). *Traditions and Transformations in late Medieval England*. 2002. ISBN 90 04 12341 5
3. Tielhof, M. van. *The 'Mother of all Trades'*. The Baltic Grain Trade in Amsterdam from the Late 16th to the Early 19th Century. 2002. ISBN 90 04 12546 9
4. Looijenga, T. *Texts & Contexts of the Oldest Runic Inscriptions*. 2003. ISBN 90 04 12396 2
5. Grosjean, A. *An Unofficial Alliance*. Scotland and Sweden 1569-1654. 2003. ISBN 90 04 13241 4
6. Tanner, H.J. *Families, Friends and Allies*. Boulogne and Politics in Northern France and England, c. 879-1160. 2004. ISBN 90 04 13243 0
7. Finlay, A. *Fagrskinna, A Catalogue of the Kings of Norway*. A Translation with Introduction and Notes. 2004. ISBN 90 04 13172 8
8. Biggs, D.L., S.D. Michalove and A. Compton Reeves (eds.). *Reputation and Representation in Fifteenth-Century Europe*. 2004. ISBN 90 04 13613 4
9. Etting, V. *Queen Margrete I (1353-1412) and the Founding of the Nordic Union*. 2004. ISBN 90 04 13652 5
10. Lockhart, P.D. *Frederik II and the Protestant Cause*. Denmark's Role in the Wars of Religion, 1559-1596. 2004. ISBN 90 04 13790 4
11. Williams, G. and P. Bibire. *Sagas, Saints and Settlements*. 2004. ISBN 90 04 13807 2

12. Duczko, W. *Viking Rus*. Studies on the Presence of Scandinavians in Eastern Europe. 2004. ISBN 90 04 13874 9
13. Kotilaine, J.T. *Russia's Foreign Trade and Economic Expansion in the Seventeenth Century*. Windows on the World. 2005. ISBN 90 04 13896 X
14. Harreld, D.J. *High Germans in the Low Countries*. German Merchants and Commerce in Golden Age Antwerp. 2004. ISBN 90 04 14104 9
15. Blomkvist, N. *The Discovery of the Baltic*. The Reception of a Catholic World-system in the European North (AD 1075-1225). 2005. ISBN 90 04 14122 7
16. Oram, R.D. (ed.). *The Reign of Alexander II, 1214-49*. 2005. ISBN 90 04 14206 1
17. Boulhosa, P.P. *Icelanders and the Kings of Norway*. Mediaeval Sagas and Legal Texts. 2005. ISBN 90 04 14516 8